

**Exhibit F**

**Deposition Transcript of Lisa Lewandowski**

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

LISA LEWANDOWSKI,

Plaintiff, No. Case No.: 1:09-cv-04949

Judge: Blanche M. Manning

vs.

Magistrate Young B. Kim

COLUMBIA COLLEGE CHICAGO,

Defendant.

---

The deposition of LISA MARIE  
LEWANDOWSKI called by the Defendant for  
examination, pursuant to notice and  
pursuant to the Federal Rules of Civil  
Procedure for the United States District  
Courts pertaining to the taking of  
depositions, taken before Renay  
Patterson-Sebanc, Certified Shorthand  
Reporter, Registered Professional  
Reporter, Notary Public, within and for  
the County of Cook and State of Illinois  
at 225 West Washington Street, Suite 1300,  
Chicago, Illinois, commencing at the hour  
of 10:15 o'clock a.m. on the 30th day of  
August, A.D. 2010.

1 APPEARANCES:

2  
3 LAW OFFICES OF DAVID L. LEE  
4 By: Mr. David L. Lee  
5 53 West Jackson Boulevard  
6 Suite 505  
7 Chicago, Illinois 60647-3437  
(312) 347-4400  
(312) 347-3272 (fax)  
d-lee@davidleelaw.com

8 on behalf of the Plaintiff;

9  
10 TRIBLER ORPETT & MEYER, P.C.  
11 By: Ms. Jennifer H. Kay  
12 225 West Washington Street  
13 Suite 1300  
Chicago, Illinois 60606  
(312) 201-6400  
(312) 201-6401 (fax)  
jhkay@tribler.com

14 on behalf of the Defendant.

15  
16 ALSO PRESENT:

17 Columbia College  
18 Mr. Paul Andrew Denham  
19 Ms. Eliza Nichols  
20

21 \*\*\*\*\*  
22  
23  
24

INDEX

WITNESS

EXAMINATION

Lisa Marie Lewandowski

Direct Exam by Ms. Kay

4

EXHIBITS

NUMBER

MARKED

Lewandowski Deposition Exhibit

No. 1	259
No. 2	260
No. 3	261
No. 4	262
No. 5	263
No. 6	265
No. 7	267
No. 8	269
No. 9	270
No. 10	272
No. 11	273
No. 12	275
No. 13	279
No. 14	297

1 WHEREUPON:

2 LISA MARIE LEWANDOWSKI,  
3 called as a witness herein, having been  
4 first duly sworn, was examined upon oral  
5 interrogatories and testified as follows:

6 DIRECT EXAMINATION

7 BY MS. KAY:

8 Q. Would you state and spell your  
9 full name, please.

10 A. Lisa M. Lewandowski, Lisa Marie  
11 Lewandowski, L-i-s-a, M-a-r-i-e,  
12 L-e-w-a-n-d-o-w-s-k-i.

13 Q. Thank you. Let the record reflect  
14 this is the discovery deposition of Lisa  
15 Marie Lewandowski taken pursuant to notice  
16 and pursuant to all applicable rules of  
17 the Civil Procedure and the local rules of  
18 the Northern District of Illinois.

19 Ms. Lewandowski, have you  
20 ever given a deposition before?

21 A. I have not.

22 Q. Okay. I assume that your attorney  
23 has probably given you some information  
24 about what we're going to do here today,

1 but I want to give you just some  
2 background or some foundation rules so  
3 that things will go more smoothly. I'm  
4 going to ask you a series of questions.  
5 I'm hoping to get answers from you to  
6 those questions.

7 The court reporter is going  
8 to take down everything that we say here  
9 in the room, so if you would make sure  
10 that you let me finish my question before  
11 you give your answer so we're not talking  
12 on top of each other, which people tend to  
13 do in general conversation, but if we can  
14 go one at a time, it will make it easier  
15 for the court reporter.

16 Also, if you can give me your  
17 responses out loud as opposed to a nod of  
18 the head or a shrug of the shoulders, that  
19 again, will make it easier for the court  
20 reporter, and if -- if you do say uh-huh  
21 or nod, I will -- I'm not trying to be  
22 rude, but I'll probably ask you, is that a  
23 yes or is that a no, just so we can get a  
24 clear record.

1                   If you don't understand a  
2           question that I've asked you, I'd like you  
3           to let me know. If I can, I will rephrase  
4           it in a way that you understand. I'd be  
5           happy to have the court reporter read it  
6           back to make sure that you understand it.  
7           If you don't hear a question that I've  
8           asked, please let me know also. Because  
9           if you answer a question that I've asked,  
10          I'm going to assume that you heard it and  
11          that you understood it. Does that sound  
12          fair?

13                A. Yes.

14                Q. Okay. The only other thing is  
15          that I'm happy to let you take breaks. I  
16          intend that we will take breaks. I don't  
17          like to keep people hostage for hours on  
18          end. If you need a break, just let me  
19          know. I'll be happy to let you take one.  
20          The only caveat to that is that if there's  
21          a question hanging out there, if I've  
22          asked a question that hasn't been answered  
23          yet, I'm going to ask you to give me your  
24          answer before we take our break. All

1 right?

2 A. Okay.

3 Q. And as we go along, if you have  
4 any questions for me, just general  
5 questions, feel free to stop me and let me  
6 know. All right?

7 Tell me what your date of  
8 birth is, please.

9 A. January 24th, 1969.

10 Q. And where do you live now?

11 A. I live in Dearborn, Michigan.

12 Q. What is your address in Dearborn?

13 A. 3440 Grindley Park Street,  
14 G-r-i-n-d-l-e-y, Dearborn, Michigan  
15 48124.

16 Q. Do you live there alone?

17 A. I do not.

18 Q. Who do you live with?

19 A. I live with my mother.

20 Q. Okay. And what's your mother's  
21 name?

22 A. Adeline.

23 Q. And her last name is?

24 A. Lewandowski.



1 Q. Lewandowski. Do you live there  
2 with anybody else?

3 A. I do not.

4 Q. Is that a home that your mother  
5 owns or is that your home?

6 A. That is a home my mother owns.

7 Q. Okay. How long have you been at  
8 the Grindley Park Street address?

9 A. Since February of 2010.

10 Q. And before moving to the Grindley  
11 Park Street address, where did you live?

12 A. At 450 West Briar Place, Unit  
13 Number 10E, Chicago, Illinois 60657.

14 Q. Did you own that residence or rent  
15 it?

16 A. I own that residence.

17 Q. When did you leave that residence?

18 A. In February of 2010.

19 Q. Do you still own it?

20 A. Yes, I do.

21 Q. When did you live there? From  
22 what date until February 2010?

23 A. I purchased it in August of 2005.

24 Q. And from August of 2005 until

1 February of 2010, did you live there with  
2 anyone?

3 A. I did not live there with anyone  
4 else besides myself.

5 Q. Okay. Why did you -- why did you  
6 move?

7 A. My mother needed help at home.

8 Q. Okay. Do you have someone renting  
9 your unit or your residence at Briar now?

10 A. Yes, I do.

11 Q. Do you have plans to return to  
12 that residence?

13 A. Yes, I do.

14 Q. Do you know when?

15 A. I do not know when.

16 Q. Okay. Are you working right now?

17 A. I am not working right now.

18 Q. When was your last employment?

19 A. My last employment was July 2010.

20 Q. And where were you employed?

21 A. I was employed for Unity Studios  
22 in Allen Park, Michigan.

23 Q. I'm sorry. You said Allen Park,  
24 Michigan?

1 A. Yes.

2 Q. Okay. What were your dates of  
3 employment there?

4 A. I'm not exactly sure. Sometime --

5 Q. As best you can remember.

6 A. Sometime in March through July  
7 2010.

8 Q. March 2010 through July 2010?

9 A. Correct.

10 Q. What did you do at Unity Studios?

11 A. I was an instructor for wardrobe,  
12 which is costume design for film. I also  
13 costume-designed a film there. I  
14 costume-designed a video, and I costumed  
15 another movie there.

16 Q. Who was your supervisor there?

17 A. James Lifton.

18 Q. I'm sorry. What was the last  
19 name?

20 A. Lifton, L-i-f-t-o-n.

21 Q. Why did you leave in July 2010?

22 A. It's a production-based position.  
23 The production had ceased.

24 Q. Was that your only period of

1 employment with Unity Studios?

2 A. Yes.

3 Q. Do they have any production -- was  
4 there any production continuing after  
5 July 2010?

6 A. There is no production.

7 Q. Okay. What was your compensation  
8 at Unity Studios?

9 A. I would have to double check my  
10 records with that.

11 Q. But you do have records of that,  
12 correct?

13 A. Of course.

14 Q. Before coming to Unity Studios in  
15 March of 2010, where did you work?

16 A. I worked at T&T Property  
17 Maintenance.

18 Q. Where is T&T?

19 A. It is in Briton, Michigan.

20 Q. I'm sorry. Which town?

21 A. Briton, B-r-i-t-o-n.

22 Q. What did you do for T&T Property  
23 Maintenance?

24 A. I shoveled snow.

1 Q. And what dates were you employed?

2 A. I would have to check that. I'm  
3 not sure. Sometime in the winter.

4 Q. Did you go -- were you employed at  
5 T&T Property Maintenance up until you went  
6 to Unity Studios in March 2000 -- I'm  
7 sorry -- 2010?

8 A. It was a day-by-day situation, so  
9 it wasn't a full-time position by any  
10 means at least. You know, we need someone  
11 to help out; if you're in town, please  
12 help us out.

13 Q. So how many --

14 A. So I can't say that I was full  
15 time.

16 Q. Were you taking jobs shoveling  
17 snow with T&T up until March 2010 when you  
18 started with Unity Studios?

19 A. I only worked there -- much before  
20 March. So maybe February it was.

21 Q. Okay.

22 A. I only worked there one day.

23 Q. Oh, just one day?

24 A. Uh-huh.

1 Q. That's a yes?

2 A. Yes.

3 Q. Okay.

4 A. Oh, pardon me.

5 Q. What was your employment before  
6 T&T Property Maintenance?

7 A. A server at a restaurant.

8 Q. What restaurant?

9 A. Jerry's Corner Cooks.

10 Q. Jerry's Corner Cooks?

11 A. Uh-huh. It's in Wilmette,  
12 Illinois.

13 Q. What was your period of employment  
14 there?

15 A. Sometime in October through, I  
16 think, December.

17 Q. Of what year?

18 A. 2010. I'm not exactly sure.

19 Q. Do you mean 2009?

20 A. 2009, yes.

21 Q. Okay. Who was your supervisor  
22 there?

23 A. Ed Huelke, H-u-e-l-k-e.

24 Q. And why did you leave in December

1 of 2009?

2 A. Well, it was slower, and my mother  
3 needed help, so I was going home.

4 Q. Okay. So you --

5 A. Admittedly.

6 Q. I'm sorry?

7 A. I was going home to help my  
8 mother.

9 Q. Okay. So you resigned your  
10 position?

11 A. Yes.

12 Q. Okay. You were not terminated?

13 A. Correct.

14 Q. Okay. Without getting into  
15 personal details about your mother, what's  
16 -- is she -- does she have a medical  
17 condition that she needs assistance with  
18 or is there some other sort of assistance  
19 you're giving her?

20 A. It was a medical thing that she  
21 needed help with.

22 Q. Okay. Before starting at Jerry's  
23 Corner Cooks in October of 2009, where did  
24 you work?

1           A. I worked at Caldwell's Kitchen &  
2 Tap in Niles, Illinois.

3           Q. What was your job there?

4           A. A server.

5           Q. Who was your supervisor?

6           A. I don't remember his name.

7                       I actually forgot to mention  
8 that I worked for Chicago Public Schools  
9 as well.

10          Q. Okay.

11          A. And that was October through  
12 January. October '09, it was part time,  
13 through January 2010.

14          Q. What did you do for CPS?

15          A. I was a tutor for the high school.

16          Q. Did you work full time during  
17 those months?

18          A. As I said, it was a part-time  
19 position.

20          Q. How many hours did you work?

21          A. About 20 hours a week.

22          Q. And do you recall what your  
23 compensation was there?

24          A. \$15 an hour.



1 Q. What were your -- strike that.

2 Why did you leave CPS in  
3 January 2010?

4 A. My mother needed help.

5 Q. Okay. When did you actually -- so  
6 -- and then you moved to Michigan when?

7 A. In February 2010.

8 Q. Okay. When did you start at  
9 Caldwell's Kitchen & Tap?

10 A. I don't remember exactly. Perhaps  
11 June of 2010 -- or 2009, excuse me.

12 Q. And you were there until October?

13 A. I believe so, yes.

14 Q. Did you quit the job at Caldwell's  
15 to take the part-time position at CPS?

16 A. I quit the -- no. I quit the job  
17 at Caldwell's just because it was slow,  
18 and with the recession there was not very  
19 much money, and I was anticipating moving  
20 to help my mother anyhow. And I already  
21 had -- I don't remember if I -- they --  
22 they did overlap slightly, so, but it  
23 wouldn't have been enough money with CPS  
24 anyhow.

1 Q. Did you work full time at  
2 Caldwell's?

3 A. No, I did not work full time at  
4 Caldwell's.

5 Q. How many hours a week did you have  
6 at the time you left in October?

7 A. It's hard to say. Depending on  
8 when they scheduled me.

9 Q. Can you give me an estimate?

10 A. I'd guess 20 hours a week. Again,  
11 I'm not sure.

12 Q. And before starting at Caldwell's,  
13 where were you working before June 2009?

14 A. I believe I was baby-sitting,  
15 child care, for the Segreto (phonetic)  
16 family and also the Tony family.

17 Q. How do you spell Segreto?

18 A. I'd have to look it up. I'm not  
19 sure.

20 Q. Where do they live, the Segreto  
21 family?

22 A. Lincoln Park.

23 Q. And where did the Tony family  
24 live?

1 A. Rogers Park.

2 Q. Were you working for them at the  
3 same time?

4 A. No. No, I was not.

5 Q. What was your employment with the  
6 Segreto family, what period of time?

7 A. I don't recall at this time.

8 Q. You don't have any idea?

9 A. I don't have any idea to be  
10 correct.

11 Q. Okay. How about the Tony family  
12 in Rogers Park, when did you work for  
13 them?

14 A. That also I'd have to look up.  
15 I'm not sure.

16 Q. What was your compensation with  
17 the Segreto family?

18 A. \$15 an hour.

19 Q. And what about the Tony family?

20 A. \$10 an hour.

21 Q. All right. What was your  
22 employment immediately before your  
23 baby-sitting jobs with the Segreto and  
24 Tony families?

1           A. At some point, it may have been --  
2           it must have been after this baby-sitting.  
3           I was working for the LaSalle Network, so  
4           I don't know that I was working prior to  
5           the Segreto family.

6           Q. Okay. What's the LaSalle Network?

7           A. It's a temporary administrative  
8           service company.

9           Q. What did you do for them?

10          A. Administrative temporary work.

11          Q. So you were actually a temporary  
12          worker?

13          A. Yes.

14          Q. Is LaSalle Network in Chicago?

15          A. Yes, it is in Chicago.

16          Q. What type of temporary work did  
17          you do?

18          A. I worked at theWit Hotel, and I  
19          also worked at Centex Realty Company doing  
20          whatever was needed, mailings and  
21          packaging, accounting, data input, filing.

22          Q. And, approximately, how long were  
23          you at LaSalle Network doing temp work?

24          A. Approximately, one year.

1           Q.   Okay.  Did you work fairly  
2           steadily during that one year?

3           A.   Yes.

4           Q.   Okay.  Were you given full-time  
5           hours?

6           A.   No.

7           Q.   Okay.  During that one year, did  
8           you ever have full-time placement?

9           A.   Actually, for a short time, I did  
10          have full-time placement with LaSalle.

11          Q.   Okay.  And when was that?

12          A.   I'd have to look again.  It's been  
13          some time.

14          Q.   What did they pay you?

15          A.   \$15 an hour.

16          Q.   And was that your compensation  
17          rate the entire time you were with  
18          LaSalle?

19          A.   No, it was not.

20          Q.   Okay.  What did you start at?

21          A.   \$15 an hour.

22          Q.   And for how long did you receive  
23          that rate of pay?

24          A.   I'm not sure.  Actually, it may

1       have been \$12 at theWit, and then 15 at  
2       LaSalle.

3           Q.   Okay. Did you ever receive any  
4       more per hour than the \$15?

5           A.   I did not.

6           Q.   Before joining LaSalle Network,  
7       where did you work?

8           A.   I don't believe I worked.

9           Q.   Okay. So from the time you left  
10       Columbia College Chicago in October 2007,  
11       you did not have employment until you  
12       joined LaSalle Network?

13          A.   I believe so.

14          Q.   Okay. What did you do after  
15       leaving Columbia in 2000 -- October of  
16       2007 to try to find your next job?

17          A.   I applied for positions.

18          Q.   Okay. And did you keep -- how did  
19       you know where those positions were?  
20       Where did you find those positions to  
21       apply for? How did you know where to  
22       apply?

23          A.   The standard, looking online or  
24       contacting people, that type of thing.

1 Q. Did you use a placement service?

2 A. Well, I used the LaSalle Network,  
3 which is a temporary and full-time  
4 placement service.

5 Q. Any others besides LaSalle  
6 Network?

7 A. Yes. A company named 180 Degrees.

8 Q. Did you find employment through  
9 180 Degrees?

10 A. I did not. There's a recession,  
11 and things were slowing down.

12 Q. Okay. What type of job were you  
13 looking for with 180 Degrees?

14 A. They were placing me for  
15 administrative assistant jobs, executive  
16 positions, primarily in the green-type  
17 companies.

18 Q. Did you ever receive any job  
19 offers or any offers of employment from  
20 the time that you left Columbia in  
21 October of 2007 until you took your  
22 position with LaSalle Network?

23 A. I did not.

24 Q. You didn't get any offers at all?

1           A. Full-time positions.

2           Q. Okay. What about part-time  
3 positions?

4           A. Part-time positions, just the ones  
5 we discussed.

6           Q. Okay. So, you accepted every  
7 part-time position you were offered? When  
8 you said just the ones we discussed, I'm a  
9 little confused. I'm wondering what you  
10 meant by that.

11          A. I took almost every job that I was  
12 available to work for.

13          Q. Okay. Are there any jobs that you  
14 were offered that you have not told me  
15 about here? Any jobs besides Unity  
16 Studios, T&T Property Maintenance, Jerry's  
17 Corner Cooks, Caldwell's Kitchen, Chicago  
18 Public Schools, Segreto and Tony families,  
19 and LaSalle Network, any other job offers  
20 that you were given besides those?

21          A. I did take a job as a portrait  
22 model at a drawing studio at Palette &  
23 Chisel. It was a part-time position.

24          Q. Is that in Chicago?



1           A. Yes, it is in Chicago.

2           Q. What were you paid for that  
3 position?

4           A. \$15 an hour.

5           Q. How long did you work there?

6           A. It was very brief. Just once a  
7 month or something. If they needed a  
8 portrait model, they would call. Maybe  
9 three to six hours a month or something.

10          Q. Over how many months did you do  
11 that work?

12          A. I don't recall at this time. I  
13 don't remember.

14          Q. Any other -- besides the jobs that  
15 you have told us about here, are there any  
16 other offers of employment that you  
17 received since leaving Columbia College?

18          A. I don't believe so, no.

19          Q. Okay. Have you -- do you keep --  
20 did you keep records of the applications  
21 that you submitted to various employers  
22 after leaving Columbia?

23          A. Yes, I did.

24          Q. And have you produced those to

1 your attorney?

2 A. I believe I have.

3 Q. Did you keep the -- if any of the  
4 responses were given to you in writing,  
5 did you keep those written responses?

6 A. I kept some of them. I do not  
7 have all of them.

8 Q. Okay. Did you produce the ones  
9 you have to your attorney?

10 A. No, I did not.

11 Q. Do you still have them?

12 A. Yes.

13 Q. Since leaving Columbia College,  
14 have you attended any or done any  
15 coursework at any college or university?

16 A. Since leaving Columbia College for  
17 employment?

18 Q. Correct.

19 A. I was a graduate student at  
20 Columbia College at the time I was  
21 terminated.

22 Q. Okay. Since that time, though,  
23 have you enrolled as a student and done  
24 any coursework at any other institution?

1           A. I took an adult ed course at the  
2           Center for Creative Studies in Detroit,  
3           Michigan.

4           Q. How long was that course?

5           A. Only -- I'd have to check. Four  
6           months -- three months -- ten weeks.

7           Q. Did you receive any sort of  
8           certification or degree when you completed  
9           that?

10          A. No. It's simply a noncredit  
11          course.

12          Q. What was -- what was the area of  
13          study?

14          A. It's a computer software program  
15          called Maya.

16          Q. I'm sorry. Is that M-a-y-a?

17          A. Yes.

18          Q. And what does Maya do?

19          A. It's a 3D modeling program.

20          Q. Why did you sign up for this  
21          course?

22          A. To increase my employment skills.

23          Q. Aside from this lawsuit and the  
24          administrative charges that gave rise to

1       this litigation, have you filed any other  
2       lawsuits?

3             A.   No.

4             Q.   Okay.  Have you ever been named as  
5       a defendant in a lawsuit?

6             A.   No.

7             Q.   Have you ever been named as a  
8       respondent in an administrative  
9       proceeding?

10            A.   No.

11            Q.   I ask this question -- this is a  
12       standard routine question I always ask, so  
13       don't be offended, please.  Have you ever  
14       been convicted of a crime?

15            A.   No.

16            Q.   Okay.  Have you ever used any  
17       names other than Lisa Marie Lewandowski?

18            A.   No.

19            Q.   What did you do to prepare for  
20       your deposition today?

21            A.   I went for a walk yesterday, had a  
22       cup of tea this morning, tried to relax.

23            Q.   Did you review any documents  
24       before coming here?

1           A. I reviewed -- I reviewed the  
2       complaint that I had filed.

3           Q. The complaint that was filed in  
4       the Northern District of Illinois Court?

5           A. Yes.

6           Q. Okay. Did you review anything  
7       else?

8           A. No.

9           Q. Have you given any statements --  
10      other than the documents that you produced  
11      to your attorney, have you given any  
12      statements to anybody regarding the  
13      circumstances that gave rise to this case?

14          A. Statements, how so?

15          Q. Of any kind. Where you sit down  
16      and you talk to someone and some sort of  
17      recording is made of what you said either  
18      in writing or on tape or digitally?

19          A. The Human Resources office at  
20      Columbia.

21          Q. Okay. Since leaving Columbia,  
22      have you given any statements to anyone  
23      regarding the circumstances that gave rise  
24      to this case?

1 A. Family members.

2 Q. Okay. Anyone besides family  
3 members?

4 A. No.

5 Q. When did you retain Mr. Lee as  
6 your attorney?

7 A. I don't recall.

8 Q. Do you have any idea at all as you  
9 sit here today when you retained him as  
10 your attorney?

11 A. I don't recall exactly.

12 Q. Okay. Do you remember when you  
13 first made contact with him regarding this  
14 case?

15 A. Again, I'd have to look at dates.  
16 It's been several years.

17 Q. Okay. Did you have -- you had an  
18 attorney representing you for this matter  
19 before Mr. Lee?

20 A. Yes, I did.

21 Q. And what was that attorney's name?

22 A. Candace -- I'm not sure of her  
23 last name. Candace --

24 Q. Gorman?

1 A. Gorman.

2 Q. G-o-r-m-a-n?

3 A. Yes.

4 Q. When did you retain Ms. Gorman?

5 A. Sometime in December '06, I  
6 believe.

7 Q. When did you first communicate  
8 with her regarding this case?

9 A. I don't recall. Probably between  
10 October and December of '06, I'd guess.

11 Q. And when did she stop being your  
12 attorney?

13 A. I don't recall. She had a civil  
14 case in Guatemala or something that she  
15 had to attend.

16 Q. You started employment with  
17 Columbia when?

18 A. Around 1997.

19 Q. And what was your position then?

20 A. I worked in the costume shop in  
21 the Theater department at Columbia College  
22 as an overhire stitcher or a student  
23 worker, I believe.

24 Q. You were enrolled as an

1 undergraduate student at that time?

2 A. Yes.

3 Q. Okay. Who was your supervisor in  
4 the costume shop?

5 A. Patricia Roder.

6 Q. How did you come to learn about  
7 that position?

8 A. They had discussed the open  
9 position in class.

10 Q. Okay. What was your -- and you  
11 received a degree from Columbia, correct,  
12 an undergraduate degree?

13 A. I did receive an undergraduate  
14 degree from Columbia.

15 Q. And that was in what?

16 A. I'd have to check. 1999, maybe.

17 Q. What was your degree?

18 A. It was a liberal -- liberal arts  
19 degree.

20 Q. In what field --

21 A. Liberal arts.

22 Q. -- or area of study?

23 A. Liberal arts was the bachelor's.

24 Q. How long did you work in the



1 costume shop?

2 A. I'm not exactly sure. Maybe a  
3 year to two years. I'm not really sure.

4 Q. And where was your -- was your  
5 next position at the center for -- Career  
6 Center for Arts and Media?

7 A. My next position was at the Career  
8 Center for Arts and Media.

9 Q. Okay. What was your job there?

10 A. To be a receptionist and assist in  
11 the Student Employment office as well as  
12 the Career Center, advising inquiries, and  
13 once in a while student advising if they  
14 were busy. It was a shared office.

15 Q. Why did you leave the job in the  
16 costume shop?

17 A. It was a student worker position,  
18 I think, and I had graduated. I'm not  
19 sure what happened.

20 Q. Okay. Who was your supervisor in  
21 the Career Center?

22 A. Keith Lusson.

23 Q. Can you spell that name?

24 A. L-u-s-s-o-n.

1 Q. That was a part-time position?

2 A. Yes.

3 Q. And how long were you there?

4 A. Approximately, two-and-a-half  
5 years, I believe, maybe two years.

6 Q. By then you had graduated,  
7 correct?

8 A. Oh, yes.

9 Q. By the time you took this position  
10 in 2001?

11 A. I believe so.

12 Q. Okay. The next job you took was  
13 with the Early Childhood Education  
14 department?

15 A. Yes.

16 Q. Okay. And what was your job  
17 there?

18 A. I was the assistant to the program  
19 director in Early Childhood Education.

20 Q. You took that job in 2003?

21 A. Yes, I believe so.

22 Q. And who was the director?

23 A. Carol Ann Stowe.

24 Q. When you worked in -- you were

1       there from 2003 until the summer of --  
2       were you there until the summer of 2005 or  
3       the spring of 2005, I should say?

4           A. I'm sorry. I don't understand  
5       your question.

6           Q. How long were you assistant to  
7       Carol Ann Stowe?

8           A. I assisted Ms. Stowe until I took  
9       the position in the Dean's office.

10          Q. Okay. So you went right from  
11       Early Childhood Education to the Dean's  
12       office?

13          A. Yes.

14          Q. Who else worked in the Early  
15       Childhood Education office while you were  
16       there besides you and Carol Ann Stowe?

17          A. We had student workers.

18          Q. Aside from student workers, were  
19       there any other employees?

20          A. There were faculty -- faculty.

21          Q. Okay. Aside from the faculty  
22       members, were there any other staff  
23       members who were not students?

24          A. No.

1 Q. And how many student workers were  
2 there?

3 A. I believe there were three.

4 Q. Did that number stay constant  
5 during your time there?

6 A. I don't recall.

7 Q. What were your job  
8 responsibilities as an assistant to the  
9 director?

10 A. I'd have to look at the position  
11 description, but --

12 Q. What did you do?

13 A. -- maintaining records,  
14 coordinating the lab, computer supplies,  
15 things like that.

16 Q. What about computer supplies?

17 A. They had a lab. So, you know, if  
18 there was an issue, I would to have call  
19 and ask that it be repaired.

20 Q. Okay. Did you answer the  
21 telephone?

22 A. Yes.

23 Q. Okay. And did you keep Carol Ann  
24 Stowe's schedule for her?

1           A. She did a lot of that on her own.  
2           I on occasion would, you know, give her  
3           information from her calendar.

4           Q. You started in February of 2003.  
5           Does that sound right?

6           A. Started where in 2003?

7           Q. At Childhood -- Early Childhood  
8           Education?

9           A. Yes.

10          Q. And in May of 2003, you nominated  
11          yourself for a pay increase, correct?

12          A. I nominated myself?

13          Q. Yes.

14          A. I was asked to provide  
15          documentation for a pay increase.

16          Q. Okay. So it's your testimony that  
17          it was not your idea to seek a pay  
18          increase in May of 2003?

19          A. I was requested to provide  
20          documentation for a pay increase.

21          Q. Okay. So would the answer to my  
22          question be, no, that you did not initiate  
23          the request for the pay increase or, yes,  
24          you did?

1           A. I don't recall how that  
2           conversation went, but I know that had I  
3           provided documentation, it would be  
4           investigated.

5           Q. Who was that conversation with  
6           that you're referring to?

7           A. That would be the program  
8           director, Carol Ann Stowe.

9           Q. And what was the conversation?

10          A. I don't recall what the  
11          conversation was.

12          Q. Can you tell me anything about it  
13          at all?

14          A. No.

15          Q. What was the topic of the  
16          conversation?

17          A. The topic of the conversation?

18          Q. Right.

19          A. I don't remember.

20          Q. When did it take place?

21          A. It had to be while I was working  
22          there.

23          Q. Okay. Did you ask for a pay  
24          increase in May of 2003?

1 A. Yes, I think I did.

2 Q. Okay.

3 A. I also asked for a pay increase  
4 while I was working for Keith Lusson.

5 Q. Okay. Did you get an increase in  
6 your pay?

7 A. I did get one from Keith Lusson,  
8 and I did get the pay increase from Carol  
9 Ann Stowe, as well as stipend money.

10 Q. Okay. Do you recall what the  
11 amount of the increase was that you  
12 received?

13 A. I do not recall.

14 Q. Do you recall that you again in  
15 May 2004 sought a pay increase?

16 A. No, I do not recall.

17 Q. Do you remember asking for a title  
18 change as well in May of 2004?

19 A. Yes.

20 Q. Okay. What was your title at the  
21 time that you requested the change?

22 A. I'm not sure what it was at the  
23 time.

24 Q. What title did you want?

1           A. I'm not sure what that was at the  
2           time either.

3           Q. Why did you want a change in  
4           title?

5           A. Just as everyone would want more.  
6           I had more responsibilities and, you know,  
7           requested a title change to show that.

8           Q. What were the additional  
9           responsibilities that you took that you  
10          thought justified a title change?

11          A. I'd have to look at the paperwork.

12          Q. So sitting here today, you don't  
13          recall?

14          A. I don't recall. It was some time  
15          ago.

16          Q. Did you get the title change?

17          A. The title change, no, I did not  
18          get the title change. It was given to the  
19          person that took over my position.

20          Q. And who was that?

21          A. I don't -- I don't know who that  
22          was. I don't remember who that was.

23          Q. Who did you submit your request  
24          for a title change to?



1           A. I believe it had to go to Human  
2 Resources.

3           Q. Is it your recollection that  
4 that's where you sent it?

5           A. I don't recall. I know Human  
6 Resources was involved.

7           Q. Okay. Do you recall being  
8 reprimanded by Carol Ann Stowe for the  
9 schedule that you were keeping in that  
10 department?

11          A. Yes.

12          Q. Okay. Can you tell me what the  
13 reprimand was for? What's your  
14 recollection of the -- of the reprimand?

15          A. She had hoped that I came back  
16 from a meeting instead of going to another  
17 building that she had logged me to go to,  
18 and it was raining. You know, she didn't  
19 express that -- I did call her that, you  
20 know, I needed to come back immediately.  
21 So I went on to that meeting and gave her  
22 a call, and she was -- you know, let me  
23 know that in the future, please, do not  
24 continue to do that.

1           Q.   Okay.   And did she tell you that  
2           you were expected to work 9-to-5 hours,  
3           not necessarily the same hours that she  
4           was working?

5           A.   I often worked until 7:00 p.m.,  
6           8:30 to 7:00 p.m.

7           Q.   But my question was: Did she tell  
8           you that yours was a 9-to-5 job?

9           A.   I don't recall. I mean, there's  
10          events that were, you know, taking place  
11          after 5:00 o'clock that I was required to  
12          work.

13          Q.   Okay.

14          A.   Things like that.

15          Q.   Do you recall any additional  
16          reprimands from Carol Ann Stowe other than  
17          this one?

18          A.   I do not.

19          Q.   In March of 2005, you asked again  
20          for a title change. Do you recall that?

21          A.   I do not recall that.

22          Q.   Okay. Do you recall asking for  
23          more money in March of 2005 also?

24          A.   I don't recall that.

1           Q. Did you create talking points,  
2 suggestions, for Ms. Stowe to use in  
3 trying get the increase in money for you?

4           A. I would have had to provide her  
5 some information, so, likely, I did  
6 provide talking points.

7           Q. Okay. Why did you -- why do you  
8 say you would have had to provide her some  
9 information?

10          A. To justify the position.

11          Q. What were you told to provide?

12          A. I don't know that I was told to  
13 provide anything.

14          Q. Okay. And did you give those  
15 talking points to Ms. Stowe?

16          A. Did you just now say that -- did I  
17 testify that she had them?

18          Q. I'm asking if you created talking  
19 points to give to Carol Ann Stowe in an  
20 attempt to get an increase in your  
21 compensation in March 2005?

22          A. I -- I may have given her talking  
23 points, yes.

24          Q. Okay. Did you get the increase?

1 A. I did receive an increase.

2 Q. And how much of an increase did  
3 you receive?

4 A. I don't recall.

5 Q. I've got some documents to show  
6 you.

7 Did your title change at all  
8 during the time that you worked in the  
9 Early Childhood Education department?

10 A. I don't recall if it did.

11 Q. Why did you leave that department?

12 A. I was offered a position in the  
13 Dean's department.

14 Q. And that was at the School of Fine  
15 and Performing Arts; is that correct?

16 A. (Indicating.)

17 Q. Is that yes?

18 A. Yes.

19 Q. Did you apply for that position?

20 A. I did apply for that position.

21 Q. How did you find out that it was  
22 available?

23 A. Someone at work had told me it was  
24 available.

1 Q. Who told you that?

2 A. Several people told me. I don't  
3 remember exactly who.

4 Q. Okay. Did you submit a written  
5 application?

6 A. Yes, I did. I believe I must have  
7 had to, yes.

8 Q. Do you know how many other people  
9 applied for that position?

10 A. I do not know how many people  
11 applied for that position.

12 Q. Did you interview for the  
13 position?

14 A. Yes, I did interview for the  
15 position.

16 Q. And who interviewed you?

17 A. Leonard Lehrer, Deanna Evans, and  
18 Mr. MacDonald.

19 Q. Is that Jim MacDonald?

20 A. Yes.

21 Q. What was Leonard Lehrer's position  
22 at the time that he interviewed you?

23 A. He was the dean for the School of  
24 Fine and Performing Arts.

1 Q. And what was Jim MacDonald's  
2 position at that time?

3 A. I don't recall. Perhaps associate  
4 dean.

5 Q. And who else interviewed you? I'm  
6 sorry. I forgot what you said.

7 A. Deanna Evans.

8 Q. What was her position?

9 A. She was the assistant to the dean.

10 Q. And who else interviewed you?

11 A. Actually, prior to that, there was  
12 a Human Resources woman that interviewed  
13 me before I met with Mr. MacDonald,  
14 Leonard, and Deanna.

15 Q. Who was that?

16 A. She was the director of Human  
17 Resources. I don't recall the name.

18 Q. Was it Stephanie Griffin or  
19 Patricia Olalde?

20 A. It was neither of those two women.

21 Q. Okay. What position did you  
22 eventually get when you moved from the  
23 Early Childhood Education department?

24 A. The Assistant to the Dean

1 position.

2 Q. That's the position that Deanna  
3 Evans held at the time she interviewed  
4 you?

5 A. I believe so.

6 Q. Did you have any understanding  
7 regarding where Deanna Evans was going to  
8 go if you took the position of Assistant  
9 to the Dean?

10 A. I was not made aware of that.

11 Q. Do you know --

12 A. I don't recall.

13 Q. Do you know why she was leaving?

14 A. I do not know why she was leaving.

15 Q. Okay. And do you know how long  
16 she had been there?

17 A. I don't recall how long she was  
18 there.

19 Q. You started work as assistant to  
20 the Dean in May of 2005, correct?

21 A. Yes.

22 Q. Okay. And your direct supervisor  
23 was Leonard Lehrer, correct?

24 A. Correct.

1           Q.   What did you do in that job?  What  
2   were your functions in that job?

3           A.   Many functions.  I'd have to  
4   recall the position description, but to  
5   help coordinate information to and from  
6   the Provost's office, the Human Resources  
7   department, budgeting, calendars, events,  
8   among other things.

9           Q.   What did you do -- when you say  
10   budgeting, what -- what did you do for  
11   budgeting?

12          A.   I was asked to review the budget  
13   and see where we could move money or take  
14   money away.

15          Q.   Anything else on budgeting?

16          A.   Input data for budgeting.

17          Q.   What type of data did you input?

18          A.   Amounts for different supplies,  
19   different line numbers.

20          Q.   Who gave you direction with regard  
21   to what data was to be input into the  
22   budget?

23          A.   Leonard Lehrer.

24          Q.   Anyone else?



1 A. No.

2 Q. And was Dean Lehrer the one who  
3 asked you to look at the budget, as you  
4 testified to a moment ago?

5 A. Yes.

6 Q. Okay. What was the -- any other  
7 functions that you can recall with regard  
8 to the school's budget?

9 A. No. I mean, I don't recall.  
10 Basic budgeting information, so that we  
11 could get it to the Provost's office.

12 Q. Okay. Did -- did Dean Lehrer  
13 review your budget, your work with regard  
14 to the budget?

15 A. Yes.

16 Q. Okay. Was anyone else -- well,  
17 let's back up.

18 Who else worked in the office  
19 with you and Dean Lehrer when you started  
20 in May of 2005?

21 A. James MacDonald.

22 Q. He was actually -- strike that.

23 Why don't you describe for me  
24 what the offices were like? Where you

1 sat? Where Dean Lehrer sat? Where Jim  
2 MacDonald was?

3 A. There were three offices, and we  
4 were each provided an office. There was a  
5 receptionist, a student worker, that sat  
6 out in the reception area.

7 Q. Okay.

8 A. There was a second student worker  
9 that would relieve that student worker.

10 Q. Okay. So you had your own office  
11 in Dean -- strike that -- when working for  
12 Dean Lehrer?

13 A. I had my own office also for Carol  
14 Ann Stowe, yes.

15 Q. Okay. And you had your office the  
16 entire time that you worked for Dean  
17 Lehrer, correct?

18 A. I believe so, yes.

19 Q. Jim MacDonald worked in that group  
20 of offices as well, correct?

21 A. Yes.

22 Q. Okay. How often -- strike that.

23 Was anyone else working in  
24 those offices besides you, Dean Lehrer,

1 and Jim MacDonald?

2 A. The student workers were also  
3 working in the reception area.

4 Q. Okay. In addition to them, was  
5 there anyone else who regularly worked in  
6 those offices?

7 A. They didn't work in the office,  
8 but there was a communal sort of coffee  
9 pot, and there were people that would come  
10 through and have coffee and use our  
11 refrigerator.

12 Q. Okay. What -- were your hours and  
13 workdays generally consistent while you  
14 worked in the Dean's office?

15 A. Yes.

16 Q. What hours and days did you work?

17 A. I worked Monday through Friday and  
18 occasionally Saturdays, like 8:30 to 5:30.

19 Q. Did you set your own hours?

20 A. No, not necessarily.

21 Q. Okay. How did you know when to  
22 come and when to go?

23 A. Deanna worked from 8:30 to 5:30,  
24 and I also worked 8:30 to 5:30.

1           Q. Did Deanna tell you that those  
2           were the hours you were to work?

3           A. I asked her what hours she worked,  
4           and she let me know she worked 8:30 to  
5           5:30.

6           Q. Okay. Did you -- did you keep  
7           track of your hours on any sort of a  
8           timesheet or through any other method?

9           A. It was a salaried position. We  
10          did log our vacation time in a computer.

11          Q. So the answer would be, no, to my  
12          question about keeping track on some sort  
13          of a timesheet or through any other  
14          method?

15          A. I would suspect e-mail trails  
16          would provide times.

17          Q. Okay. Did you input the times  
18          that you came in and left -- came in in  
19          the morning and left in the evening in any  
20          sort of a system?

21          A. There was no system required.

22          Q. So your answer's, no?

23          A. My answer is that it wasn't  
24          required, so.

1 Q. So you -- so, no?

2 A. No.

3 Q. With regard to calendaring, I  
4 think you mentioned that that was one of  
5 your job functions, what did you do with  
6 -- for calendaring? Whose calendar were  
7 you talking about when you made that  
8 reference?

9 A. Leonard would have meetings that  
10 needed to be scheduled, and I could put  
11 them on his calendar.

12 Q. Were you in charge of Dean  
13 Lehrer's calendar?

14 A. To a degree. I mean, it's his  
15 calendar. What he wanted to do, he could  
16 do, of course, but I was asked to check  
17 availability for his calendar, and then I  
18 would check with him if he would like to  
19 schedule it, and we'd schedule it.

20 Q. Did you put appointments on his  
21 calendar yourself or did he do it?

22 A. He could do it, and he often did  
23 put his own appointments on his calendar.

24 Q. And did you as well?

1           A. I did as well, yes.

2           Q. Was his calendar kept in the  
3 computer system or was it an actual  
4 hard-copy calendar?

5           A. Originally, he had a hard-copy  
6 calendar, and then he also had a computer  
7 calendar.

8           Q. Did he stop using his hard-copy  
9 calendar after he started using the  
10 computer calendar?

11          A. I don't know what he did. I often  
12 kept his computer calendar. I believe he  
13 had a paper calendar he carried with him.

14          Q. Okay. Did you put entries into  
15 his paper calendar ever?

16          A. Probably the first month or so  
17 that I worked there.

18          Q. Okay.

19          A. But I think he phased out that  
20 particular calendar in hopes of  
21 streamlining.

22          Q. Okay. And so from that point on  
23 after the first month there when you  
24 needed to consult his calendar, you would

1 do so on the computer system?

2 A. I would speak with him and, yes,  
3 check on the computer system.

4 Q. Okay. So you had the ability to  
5 go into his computer -- computerized  
6 calendar and make entries on that  
7 calendar, correct?

8 A. Yes, he authorized me to do that.

9 Q. Okay. And did you have to -- I  
10 assume you didn't have to check with him  
11 to get authorization each time you put an  
12 entry into his calendar. Is that fair to  
13 say?

14 A. That's -- I would have to check  
15 with him to remove it if it wasn't going  
16 to work for him, but, originally, I would  
17 put it in his calendar.

18 Q. Okay. In terms of the mechanics  
19 of actually getting -- accessing the  
20 calendar and putting an entry onto a  
21 particular day, did you have some sort of  
22 a pass code or other information you had  
23 to provide to access a particular day?

24 A. No.

1           Q.   Okay.   So you could just go on and  
2   -- and do it when you were ready to do it,  
3   correct?

4           A.   I think so.

5           Q.   Okay.   And would your answer be  
6   the same with regard to removing any  
7   entries on his computerized calendar?

8           A.   Yes, I believe so.

9           Q.   Okay.   Did you keep anybody else's  
10   calendar while you worked at the -- in the  
11   Dean's office?

12          A.   On occasion, I would schedule  
13   things for Jim MacDonald, but not very  
14   often.

15          Q.   Was his calendar kept on the  
16   computer as well?

17          A.   Yes.

18          Q.   Did you keep a calendar of your  
19   own?

20          A.   Yes, I did.

21          Q.   Was that kept on the computer or  
22   in hard copy?

23          A.   I kept a calendar on the computer.

24          Q.   Did you also keep one in hard



1 copy?

2 A. I kept notes, in a book, of  
3 requests.

4 Q. Okay. Was that, though -- did  
5 that contain a personal calendar for you?

6 A. No.

7 Q. So your entire personal calendar  
8 -- I shouldn't say personal. The calendar  
9 that you kept for your job as assistant to  
10 the dean was kept all on the computer?

11 A. Yes.

12 Q. Yes. What was your job function  
13 with regard to events? I think when I  
14 asked you what your job functions were,  
15 you said events. If you can be more  
16 specific for me about what you did?

17 A. In the Dean's office?

18 Q. Yes.

19 A. We had faculty retreats that  
20 needed to be scheduled and Human Resources  
21 staff retreats as well that needed to be  
22 organized and coordinated.

23 Q. Faculty retreats, staff retreats,  
24 you say you organized those events?

1           A.    Yes.

2           Q.    Okay.  And what did you do to  
3   organize those events?

4           A.    We invited the faculty to display  
5   work to artists who came to the events, to  
6   be sure that we had name tags and food,  
7   and, you know, a location, things like  
8   that.

9           Q.    Were those faculty -- what faculty  
10   did you draw from for those events?

11          A.    We had around that time 146  
12   faculty that reported to the Dean's office  
13   and around 100 staff members.

14          Q.    Okay.  Did you contact faculty  
15   members directly regarding coordination of  
16   these events?

17          A.    I believe that we contacted the  
18   chairs, and the chairs would request  
19   submissions or substitutions or you know.

20          Q.    Okay.  When you say we -- who do  
21   you mean when you say, We contacted the  
22   chairs?

23          A.    Well, the Dean's office.

24          Q.    And so that contact came through

1       you, correct?

2           A.   Yes.

3           Q.   Okay.   So you were the person from  
4       the Dean's office who communicated with  
5       the individual chairs regarding faculty  
6       retreats?

7           A.   No.   Leonard would usually send a  
8       memo saying, you know, we will be doing  
9       this.

10          Q.   Okay.

11          A.   Lisa will be in contact with you  
12       about coordinating it.

13          Q.   Okay.

14          A.   And then I would follow up.

15          Q.   Okay.   And was that the same  
16       procedure you followed with regard to  
17       staff retreats?

18          A.   I don't recall.

19          Q.   Okay.   Any other functions that  
20       you performed while working for Dean  
21       Lehrer besides coordinating faculty and  
22       staff retreats, keeping Dean Lehrer's  
23       calendar, and sometimes Jim MacDonald's  
24       calendar, and the budgeting functions that

1       you've testified about?

2           A. Anything that was asked, I would  
3       do.

4           Q. Okay. And do you recall  
5       specifically anything that you were asked  
6       to do that you did?

7           A. I was asked to -- we had faculty  
8       initiatives for like creative encounters,  
9       things like this. It was fellowships  
10      through the Provost's office. So we would  
11      coordinate that. Or we would have HR  
12      events, not events, but requirements. So  
13      we'd have to be sure that people attended  
14      those things.

15          Q. Okay. And you were in charge of  
16      coordinating those?

17          A. Well, Leonard had asked that I do,  
18      you know, that.

19          Q. But after he asked that you take  
20      charge of it, were you in charge of  
21      representing the Dean's office with regard  
22      to the Dean's office's involvement in  
23      those events?

24          A. No. The Dean is always the person

1       who is responsible for things. I mean, I  
2       would coordinate what's happening,  
3       communicate to him.

4           Q. Okay.

5           A. But --

6           Q. Would it be fair to say you worked  
7       with a fair amount of autonomy when you  
8       were in the Dean's office?

9           A. On occasion -- due to the fact  
10      that the dean was out and that Jim  
11      MacDonald would be out, on occasion, I  
12      would have to collect information and  
13      deliver it back to the dean.

14          Q. Okay. So would your answer be,  
15      yes?

16          A. No. My answer would not be yes.  
17      My answer would be, on occasion.

18          Q. Okay. So you sometimes worked  
19      with autonomy and others -- other times  
20      you did not. Is that your testimony?

21          A. I would be the only person in the  
22      office, but I would always have to  
23      communicate to others regarding what was  
24      happening.

1           Q.   Okay.   You worked in the Dean's  
2   office from May of 2005 until October  
3   of 2006, correct?

4           A.   I'm sorry.   Could you repeat the  
5   question?

6           Q.   Sure.   You worked in the Dean's  
7   office from May of 2005 until October  
8   of 2006; is that correct?

9           A.   Till October of 2006?

10          Q.   Yes.

11          A.   Yes, that's correct.

12          Q.   How often during that time -- and  
13   you can tell me if that changed at all  
14   during that window of time.   How often  
15   while you were in the Dean's office, did  
16   you actually see the dean in the office?  
17   Would it be on a daily basis?

18          A.   Yes, on a daily basis.

19          Q.   Okay.   Was Jim MacDonald in the  
20   office on a daily basis?

21          A.   I don't recall how often he was in  
22   the office.

23          Q.   Okay.   Do you recall whether it  
24   was on -- whether Jim MacDonald was in the

1 office more than once a week?

2 A. I believe that Jim MacDonald was  
3 in the office more than once a week.

4 Q. Beyond that, can you be any more  
5 specific?

6 A. No.

7 Q. Okay. There were student worker  
8 receptionists in the office, correct?

9 A. Correct.

10 Q. And what were their hours during  
11 the time you worked in the office?

12 A. We often would have them there  
13 between 9:00 and 5:00.

14 Q. Okay. That's Monday through  
15 Friday?

16 A. Yes, Monday through Friday.

17 Q. And, typically, that's when they  
18 worked, correct? Monday through Friday,  
19 9:00 to 5:00?

20 A. Typically, yes.

21 Q. Who supervised them?

22 A. I supervised them.

23 Q. Okay. Did you give them  
24 performance reviews?

1           A. We were not required to give them  
2 performance reviews.

3           Q. Okay. So what was your  
4 supervision then?

5           A. Well, actually, we did give them  
6 performance reviews, but they were  
7 different than full-time faculty.

8           Q. And were you the person giving  
9 them their reviews?

10          A. Yes.

11          Q. Did you -- what else did you do to  
12 supervise those student worker  
13 receptionists?

14          A. What else did we do?

15          Q. What else did do you?

16          A. To supervise them?

17          Q. Yes, if anything.

18          A. Provide them work and see that it  
19 got done.

20          Q. Okay. Do you recall in April 2006  
21 you submitted a document where you  
22 outlined your idea for a new position that  
23 was to be called something like "Director  
24 of Budgets and Projects"?



1           A.   Yes, I do.

2           Q.   Okay.  And why did you submit that  
3 document?

4           A.   I believe I was asked to submit  
5 that document to Leonard.

6           Q.   Who asked you to submit it to  
7 Leonard?

8           A.   I believe Leonard asked me to  
9 submit it.

10          Q.   Okay.  So it's your testimony that  
11 it was his idea for you to submit a  
12 proposal for a new position?

13          A.   I believe the conversation was  
14 that another office was creating that  
15 position, and he thought that if they were  
16 going to do that, then perhaps I should.

17          Q.   Which office was that?

18          A.   I don't recall what the other --  
19 another Dean's office.

20          Q.   When did you have this  
21 conversation with Dean Lehrer?

22          A.   I don't recall.

23          Q.   Did he tell you what to put in  
24 your proposal?

1           A. I don't recall that he told me.

2           Q. You don't remember either way?

3           A. No. It's a pretty  
4 specific question.

5           Q. I'm sorry?

6           A. No, I don't recall. It's a pretty  
7 specific question.

8           Q. Okay. Well, I'm just wondering  
9 how you decided what -- what -- strike  
10 that.

11                       How did you know what to put  
12 in your proposal?

13           A. I would keep track of my duties,  
14 as much as I could --

15           Q. Okay.

16           A. -- and I would just recall that  
17 information.

18           Q. Did you write the proposal  
19 yourself?

20           A. I believe I definitely drafted the  
21 proposal, and I don't recall if Leonard  
22 had rewritten it or anything like that. I  
23 don't know. I had written the draft for  
24 the proposal.

1           Q.   Okay.   Did you -- did you show it  
2   to anyone besides -- strike that.

3                       Did you eventually show the  
4   proposal to Dean Lehrer?

5           A.   I believe I would have.

6           Q.   Okay.   Is he the one you submitted  
7   it to?

8           A.   I don't recall if it was he.  
9   Yeah.   I don't recall.

10          Q.   Did you show the proposal to  
11   anyone else besides Dean Lehrer?

12          A.   I don't recall.

13          Q.   You argued in that proposal that  
14   you should be entitled to a minimal or a  
15   minimum salary increase of \$10,500,  
16   correct?

17          A.   That's what it says.

18          Q.   Okay.   And who decided what figure  
19   to make as the minimum request?   Who  
20   picked \$10,500?

21          A.   I believe that information was  
22   what Leonard had suggested.   I don't --  
23   maybe based on the other position  
24   description from the other department.

1 I'm not really sure.

2 Q. So it's your testimony that this  
3 idea for the \$10,000 -- \$10,500 increase  
4 came from Dean Lehrer and not from you?

5 A. I -- no, that is not my testimony.  
6 I don't recall.

7 Q. Okay. Was anyone else present  
8 when you had this meeting with Dean Lehrer  
9 to discuss the creation of the new  
10 position?

11 A. I don't recall.

12 Q. How many meetings did you have  
13 with him to discuss this topic?

14 A. I don't recall.

15 Q. Do you remember whether this  
16 position had existed at some other time in  
17 the school which Dean Lehrer was dean, the  
18 School of Fine and Performing Arts?

19 A. Pardon me?

20 Q. That was a bad question. Let me  
21 ask it this way.

22 Do you recall whether any  
23 such position, Director of Budgets and  
24 Projects, had previously existed at any

1 time in the School of Fine and Performing  
2 Arts?

3 A. I don't recall.

4 Q. And you don't remember -- strike  
5 that.

6 It's your testimony that Dean  
7 Lehrer had told you that this position  
8 existed in other departments -- I'm  
9 sorry -- in other -- well, what did he  
10 tell you?

11 A. I don't recall exactly what was  
12 said, but there was discussion that  
13 they're considering this particular title  
14 in other areas of the school.

15 Q. Okay. And that's all you recall  
16 about what he said?

17 A. Yes.

18 Q. Did -- strike that.

19 Who initiated the idea of  
20 this position, you or Dean Lehrer?

21 A. I don't recall.

22 Q. Did you feel you were qualified  
23 for the position?

24 A. Yes.

1 Q. What -- strike that.

2 How did you know what the  
3 position's functions were supposed to be?

4 A. I believe that Dean Lehrer  
5 provided a position description to me.

6 Q. Do you know where he -- strike  
7 that.

8 Do you know where that came  
9 from?

10 A. I do not know where that came from  
11 or I don't remember where it came from at  
12 this point.

13 Q. You reviewed the position  
14 description?

15 A. Yes.

16 Q. And you believed you were  
17 qualified for this proposed position?

18 A. Yes.

19 Q. Why did you believe you were  
20 qualified for it?

21 A. Because I had performed the duties  
22 on the position description.

23 Q. Okay. Do you recall what any of  
24 those duties were as you sit here today?

1           A. I don't recall specifically what  
2 they were.

3           Q. Do you recall generally?

4           A. Generally, no, I don't recall.

5           Q. Okay. And I'm sorry, you might  
6 have answered this question. Did you  
7 submit the proposal to Dean Lehrer?

8           A. I do not recall where I submitted  
9 it or if it was submitted to a finance  
10 department or -- I'm not sure what the  
11 cycle is.

12          Q. Were you eventually given an  
13 increase in pay?

14          A. Eventually, I was given stipends.

15          Q. In June 2006, your pay went from  
16 \$42,000 to \$61,260, correct?

17          A. In June, no. In September is the  
18 new budget year.

19          Q. I'm sorry. But you were notified  
20 in the summer of 2006 that you would be  
21 getting that increase, correct?

22          A. It was submitted. I don't know  
23 that it was approved.

24          Q. Okay.

1           A. And prior to that, I did receive  
2 stipends, additional sums of money, as did  
3 James MacDonald.

4           Q. Okay. When you say stipends, what  
5 do you mean?

6           A. Additional amounts of money.

7           Q. Beyond your regular paycheck?

8           A. Yes.

9           Q. When was the first time you  
10 received a stipend while working in the  
11 Dean's office?

12          A. I don't recall. I'd have  
13 to check.

14          Q. What was the amount of the  
15 stipend?

16          A. I don't recall that either.

17          Q. How many stipends did you receive?

18          A. I don't recall.

19          Q. How did you get the stipends? I  
20 mean, did they come in a separate check or  
21 was it included in your paycheck?

22          A. I don't recall how they were  
23 given. I mean, they were in a check.

24          Q. And were you ever told why you



1       were getting additional money?

2           A. I believe that the dean had to  
3       fill out information on a form in order to  
4       get that amount approved.

5           Q. Okay. And it was approved, I  
6       assume?

7           A. Yes.

8           Q. Okay. You have no idea sitting  
9       here today how much additional money you  
10      received while working in the Dean's  
11      office?

12          A. I do not recall.

13          Q. Okay. While working in the Dean's  
14      office, did you travel to Europe with Dean  
15      Lehrer?

16          A. I did travel with Dean Lehrer,  
17      Chris Greiner, and Jillian Moore to  
18      Europe.

19          Q. I'm sorry. Jillian Moore was one  
20      of the people you mentioned?

21          A. Yes.

22          Q. Okay. And who else? Chris?

23          A. Greiner.

24          Q. Can you spell that?

1           A. G-r-i-e-n-i-e-r, perhaps. I'm not  
2 precisely sure.

3           Q. Who else was on that trip?

4           A. Leonard, Leonard's stepdaughter,  
5 the two children to the stepdaughter, and  
6 his wife.

7           Q. Anyone else on the trip?

8           A. Yes. I believe the chair of the  
9 Arts Entertainment Media Management  
10 department. I think it was Dennis Rich.

11          Q. Anyone else on the trip?

12          A. I can't recall anyone else on the  
13 trip.

14          Q. When was this trip taken?

15          A. Maybe May of '06. I'm not exactly  
16 sure.

17          Q. And how long were you in Europe  
18 with Dean Lehrer and these other people?

19          A. I believe it was around 10 to 14  
20 days, something like that.

21          Q. Where did you go?

22          A. We went to Italy and Austria.

23          Q. Anywhere else?

24          A. I don't believe so.

1 Q. Who paid for the trip?

2 A. The -- Columbia College paid for  
3 the trip.

4 Q. And were -- what was -- what's  
5 Jillian Moore's -- strike that. What was  
6 Jillian Moore's position at that time?

7 A. I don't recall what her position  
8 was. She worked with the International  
9 Programming.

10 Q. Whose office was she in?

11 A. I don't recall if she reported to  
12 the Dean's office or the Provost's office.  
13 I'm not sure.

14 Q. What about Chris Greiner?

15 A. Chris was a report to Jillian  
16 Moore.

17 Q. How did you find out about this  
18 trip? How did you learn that it was to  
19 take place?

20 A. Leonard let me know that it was  
21 going to take place.

22 Q. And what did he say to you?

23 A. I don't recall what he said.

24 Q. When did he tell you that the trip

1 was going to take place?

2 A. I don't recall when he told me.

3 Q. Was anyone present to hear this  
4 conversation between you and Leonard  
5 Lehrer?

6 A. I don't recall if anyone was.

7 Q. What was your understanding as to  
8 why you would be on this trip?

9 A. To document the trip.

10 Q. To document?

11 A. To document the school  
12 surroundings. They were going to look at  
13 a program, and also he had talked about  
14 transcripts coordination.

15 Q. Okay. What was your job then  
16 while you were there?

17 A. I documented the -- what the  
18 school looked like, and sat at dinner  
19 meetings with people.

20 Q. What school are you talking about?

21 A. There was a school in Florence,  
22 and there was a school in Austria. I  
23 don't remember what the name of the  
24 schools are.

1 Q. Okay. And how did you document  
2 what they looked like?

3 A. Through video.

4 Q. Did you document it in any other  
5 way besides video?

6 A. Primarily, video. There also were  
7 some notes in Austria of the business  
8 meeting.

9 Q. Were you -- strike that.

10 Who made arrangements -- the  
11 travel arrangements for this trip?

12 A. I believe Allison Ratliff made the  
13 travel arrangements.

14 Q. And who's Allison Ratliff?

15 A. She worked in the Dean's office as  
16 an administrative assistant, I believe.

17 Q. When did she start working in the  
18 Dean's office?

19 A. She had been a student worker and  
20 then given a position as an administrative  
21 assistant.

22 Q. So she was one -- strike that.

23 Do you know when she was  
24 given the title of administrative

1 assistant?

2 A. I don't recall.

3 Q. Was she one of the student workers  
4 you testified that you supervised?

5 A. Yes.

6 Q. Okay. And she was the one who  
7 made the travel arrangements for this  
8 trip?

9 A. Yes.

10 Q. Did that include air travel?

11 A. Yes.

12 Q. Did she make arrangements for  
13 accommodations, for hotels?

14 A. Yes.

15 Q. And was everyone at the same  
16 hotel?

17 A. I don't believe so.

18 Q. How many different hotels -- let's  
19 say when you were -- strike that.

20 How many different cities did  
21 you visit?

22 A. I believe we only went to two  
23 cities.

24 Q. Florence and?

1           A.   Salzburg, Austria.

2           Q.   And in Florence, did you -- where  
3   did you stay while you were in Florence?

4           A.   In Florence, at the same hotel  
5   that Chris Greiner stayed at. I don't  
6   recall the name of that.

7           Q.   Were you -- strike that.

8                     And did everyone besides you  
9   and Chris Greiner stay at a separate  
10   hotel?

11          A.   I don't recall where people  
12   stayed.

13          Q.   Do you recall where Dean Lehrer  
14   stayed?

15          A.   I don't believe he stayed in the  
16   same hotel we stayed at.

17          Q.   Okay. Would that be your answer  
18   for Salzburg as well?

19          A.   No. Everyone, I believe, stayed  
20   at -- well, I believe everyone stayed at  
21   the same hotel in Salzburg.

22          Q.   How many nights total were spent  
23   in hotels while in Europe on this trip?

24          A.   I don't recall.

1           Q. Was your trip evenly divided  
2 approximately between the Florence portion  
3 and the Salzburg portion?

4           A. I don't recall.

5           Q. Were you paid for your time in  
6 Europe?

7           A. Yes.

8           Q. And were you given time to  
9 sightsee and do nonwork-related  
10 sightseeing?

11          A. I -- I did sightsee.

12          Q. Okay. Do you recall whether you  
13 sightsee -- did sightseeing every day  
14 while you were traveling?

15          A. No, I did not sightsee every day.

16          Q. Of the time that you spent on this  
17 trip, how many days did you spend  
18 sightseeing?

19          A. I would say three hours for the  
20 whole trip.

21          Q. Okay. Your meals were paid for,  
22 correct?

23          A. Correct.

24          Q. And your hotel?



1 A. Yes.

2 Q. And your airfare, correct?

3 A. Yes.

4 Q. Aside from documenting what the  
5 schools looked like through video and  
6 taking notes, were there any other job  
7 functions that you performed while on this  
8 Europe trip?

9 A. I was asked to attend the meal  
10 meetings.

11 Q. Okay. Who went to these meal  
12 meetings?

13 A. Everyone that attended from  
14 Columbia.

15 Q. Okay. Did they attend just with  
16 themselves or were there people from the  
17 schools who were there as well?

18 A. Oh, of course, there were people  
19 from the schools that were there.

20 Q. Okay. And did you have a function  
21 to perform at these meetings?

22 A. Did I have a function?

23 Q. Were you asked to do anything at  
24 these meetings?

1           A. I was -- no. I was asked just to  
2 attend the meetings.

3           Q. Okay. Did you take notes or  
4 record them in any way or did you just sit  
5 and listen?

6           A. I sat and listened.

7           Q. Okay. And were there any other  
8 trips that you took to Europe or anywhere  
9 else with Dean Lehrer while you worked in  
10 the Dean's office?

11          A. I don't believe so.

12           MS. KAY: Do you want to take a  
13 break?

14                       (Whereupon a short recess  
15 was had.)

16           MS. KAY: Back on the record.

17 BY MS. KAY:

18           Q. You were -- strike that.

19                       Do you remember in October  
20 of 2006 who Paul Chiaravaile is or was at  
21 that time?

22           A. Yes.

23           Q. What was his position?

24           A. He worked with Dr. Carter with the

1 staff.

2 Q. Okay. Was he chief of  
3 Dr. Carter's staff?

4 A. Yes.

5 Q. Okay. And you received a  
6 reprimand from him on October 17th of  
7 2006, correct?

8 A. From Dr. Carter.

9 Q. Okay. Do you remember receiving a  
10 reprimand from his chief of staff, Paul  
11 Chiaravaile?

12 A. I do not.

13 Q. What was the reprimand for, that  
14 you recall?

15 A. The board of trustees -- a  
16 gentleman who was going to become a board  
17 trustee -- they were negotiating a  
18 contract with the River Arts Gallery, and  
19 the gallery did not want to provide the  
20 documentation that was needed, and they  
21 would require us to call one office to  
22 another office and were not producing the  
23 documentation. So I called one of the  
24 offices after several phone calls and had

1 asked the upper person to give a call to  
2 Dr. Carter.

3 Q. Okay. And was it your  
4 understanding that Dr. Carter was upset  
5 with you by the -- your conduct during the  
6 telephone call that you had with this  
7 member of the board of trustees?

8 A. I found out later that Dr. Carter  
9 had wished I did not -- asked that person  
10 to call him.

11 Q. So he was not happy with what you  
12 had done, correct?

13 A. He had said that he did not want  
14 me to do that, yes.

15 Q. Okay. In fact, you wrote a letter  
16 of apology to Dr. Carter?

17 A. Yes.

18 Q. Correct?

19 A. Yes, I did.

20 Q. Okay. And why did you write that  
21 letter of apology?

22 A. To explain that his office had  
23 asked me to get this contract, that wasn't  
24 going to happen, and multiple phone calls

1 was not getting us anywhere.

2 Q. Okay. Did he respond to your  
3 letter?

4 A. He did respond to my letter.

5 Q. And, in fact, in his response, he  
6 told you that you were not to speak for  
7 him unless you were directed to do that,  
8 correct?

9 A. Correct.

10 Q. Okay. The phone call -- do you  
11 recall the name of the board of trustees  
12 member whom you called that generated this  
13 response from Dr. Carter?

14 A. I do not recall. I don't believe  
15 he was a board member at the time.

16 Q. Okay. Why do you not believe he  
17 was a board member?

18 A. Because I don't believe he was a  
19 board member at the time. I think he was  
20 looking to become a board member.

21 Q. And where did you get your  
22 information regarding this individual and  
23 their status as either a board member or  
24 not?

1           A. I believe that information is  
2           available online. It's common knowledge.

3           Q. Okay. Did you check online to  
4           check this person's status before you made  
5           the call to him?

6           A. I spoke with his assistant. I  
7           never spoke with this person.

8           Q. Okay. Before speaking to his  
9           assistant, did you check his status  
10          online?

11          A. I did not check his status online.

12          Q. The call that you made to this  
13          gentleman's assistant was the week of  
14          October 9th, 2006. Does that sound right?

15          A. I don't recall, but, yes.

16          Q. Okay. When did you first learn  
17          that anybody at Columbia was displeased  
18          with your conduct in this telephone call?

19          A. Mr. Lehrer had -- Leonard had told  
20          me.

21          Q. And when did he tell you that?

22          A. Within a day of when that  
23          happened.

24          Q. Okay. Within a day of the call?

1 A. Yes.

2 Q. Do you know how he found out that  
3 anyone at the college was displeased with  
4 your conduct?

5 A. I don't recall how he found out.

6 Q. What did he say to you?

7 A. He -- I don't recall the  
8 conversation exactly, but that he had -- I  
9 should not have had -- asked that board  
10 member or the person who was going to be  
11 the board member to call Dr. Carter's  
12 office to resolve the contract that we  
13 were supposed to be getting.

14 Q. Anything else that Dean Lehrer  
15 said to you in this conversation?

16 A. I don't recall.

17 Q. How long did the conversation take  
18 place?

19 A. I don't recall.

20 Q. And when did it occur?

21 A. I don't recall.

22 Q. Was anyone else there to hear the  
23 conversation?

24 A. I don't think so.

1           Q. And did he identify Dr. Carter as  
2       -- as the person who was displeased with  
3       your conduct?

4           A. I don't recall.

5           Q. Okay. Do you recall who he  
6       disclosed as the person who was displeased  
7       or the people who were displeased with  
8       your conduct?

9           A. I think it was the President's  
10       office.

11          Q. Okay. Did you have any further  
12       conversations with Dean Lehrer regarding  
13       the President's office reprimand of your  
14       conduct?

15          A. What do you mean? I'm sorry.

16                MS. KAY: Would you read the  
17       question back?

18                       (Record read as requested.)

19                THE WITNESS: Dean Lehrer  
20       suggested that I write an apology note to  
21       Dr. Carter.

22       BY MS. KAY:

23          Q. Okay. Did he tell you why he was  
24       making that suggestion?



1 A. He did not.

2 Q. You took his advice, correct?

3 A. Yes.

4 Q. Did you write the letter to  
5 Dr. Carter yourself?

6 A. I drafted the letter, and Leonard  
7 said he would review the letter.

8 Q. Okay. And is that what happened?  
9 You drafted it, and he reviewed it?

10 A. Yes.

11 Q. Did anyone else review it?

12 A. I don't recall.

13 Q. Did Dean Lehrer make any changes  
14 after reviewing your letter?

15 A. I don't recall.

16 Q. You eventually did send the letter  
17 to Dr. Carter, correct?

18 A. Correct.

19 Q. Did you send a copy of the letter  
20 to anyone else?

21 A. I don't recall. I may have.

22 Q. If -- strike that.

23 And it's your testimony that  
24 you -- your phone call was to the

1 assistant to this board member and not to  
2 the board member himself?

3 A. I don't recall.

4 Q. So, it could have been directly to  
5 the board member, correct?

6 A. I do not recall.

7 Q. As part of the basis of your claim  
8 against Columbia College, you're alleging  
9 sexual harassment, correct?

10 A. Correct.

11 Q. Okay. Why don't we start talking  
12 about that then? Can you tell me when was  
13 the first incident of conduct that you  
14 recall that you're alleging was sexual  
15 harassment?

16 A. Dean Lehrer at some point in  
17 October had asked me to, you know, have an  
18 affair with him, have his children, wake  
19 up in my bed, extract his semen to have  
20 his children, he couldn't control himself  
21 around me. I don't recall everything.

22 Q. So these are statements you're  
23 alleging that Dean Lehrer made to you?

24 A. Those are statements that Dean

1       Lehrer admitted to making to me, yes.

2           Q.   Okay.  Did he make them to you?

3           A.   Yes.

4           Q.   So it's your testimony under oath  
5       that he told you he wanted to have an  
6       affair with you?

7           A.   Correct.

8           Q.   Okay.  And that he wanted you to  
9       bear his children?

10          A.   Correct.

11          Q.   That he wanted his semen extracted  
12       so that he could impregnate you?

13          A.   Yes.

14          Q.   And what about his bed?  What was  
15       the statement?

16          A.   I don't know verbatim, but  
17       something about waking up in my bed with  
18       him every morning.

19          Q.   You said this was in October,  
20       correct?

21          A.   Yes.

22          Q.   October of what year?

23          A.   2006.

24          Q.   Were there any statements made by

1 -- strike that.

2 Were these statements made  
3 all on the same occasion or at different  
4 times in October of 2006?

5 A. I believe it was on different  
6 occasions in October.

7 Q. Okay.

8 A. Mr. Lehrer also recited a poem to  
9 me and made me cards and had asked me to  
10 have -- meet him for dinner of which I  
11 kept denying and saying, I didn't have  
12 time for, things like that.

13 Q. How many times did he tell you he  
14 wanted to have an affair with you?

15 A. Once.

16 Q. How many times did he tell you  
17 that he wanted you to bear his children?

18 A. Once.

19 Q. And how many times did he say he  
20 wanted his semen extracted so he could  
21 impregnate you?

22 A. That was all said over a course of  
23 a few occasions where he had clearly  
24 stated he had thought about it for a very

1 long time and he needed to say this to me.

2 Q. But how many times did he make the  
3 statement regarding his semen?

4 A. Once.

5 Q. Okay. And how many times did he  
6 say that he wanted -- did he make the  
7 comment regarding his bed or your bed?

8 A. I don't recall that. Possibly  
9 more than once because --

10 Q. Okay.

11 A. -- in the poem he had alluded to  
12 this as well.

13 Q. Okay. Aside from the poem, how  
14 many times did he actually say this to  
15 you, though, the comment about the bed?

16 A. Once.

17 Q. What did the poem say?

18 A. I don't recall exactly, but  
19 something about wanting to wake up with  
20 you in my arms.

21 Q. How many poems?

22 A. There was one poem he read aloud  
23 to me at work.

24 Q. When did he read it to you?

1           A. I don't recall. Sometime in  
2           October of 2006.

3           Q. Was anyone present to hear him  
4           read it to you?

5           A. No one was present.

6           Q. Where did he read it to you?

7           A. He had called me into his office  
8           and asked me to sit down.

9           Q. And what did he say?

10          A. I don't recall exactly. It was  
11          along the lines of I found something that  
12          captures my feelings or here's a poem that  
13          represents how I feel or I can't believe I  
14          have found this poem that incorporates,  
15          you know, encapsulates my feelings and  
16          here it is, and he proceeded to read the  
17          poem.

18          Q. Aside from what you've just said  
19          about something to the effect of wanting  
20          to wake up with you in my arms, what else  
21          do you recall about the contents of the  
22          poem?

23          A. I don't recall.

24          Q. How long did it take him to read

1 it?

2 A. I don't recall, maybe three  
3 minutes.

4 Q. What did you say after he  
5 finished?

6 A. I said nothing, and I excused  
7 myself.

8 Q. Did he ever read you any other  
9 poem?

10 A. I don't believe so.

11 Q. Did he give you any poems?

12 A. His daughter had poems she had  
13 written, and he had given us poems, other  
14 people in the office.

15 Q. Okay. So you were not the only  
16 person that received a collection of poems  
17 written by his daughter?

18 A. Correct.

19 Q. He had given them to other people  
20 in his office as well?

21 A. Correct.

22 Q. When did you get the collection of  
23 poems by Dean Lehrer's daughter?

24 A. I don't recall.

1 Q. Were you given yours at the same  
2 time that the other staff -- or strike  
3 that -- that the other members of the  
4 office were given theirs?

5 A. I don't believe so.

6 Q. Why do you say that?

7 A. I just don't believe it was around  
8 the same time period.

9 Q. Did you see Dean Lehrer give the  
10 other members of the office their copy of  
11 the poems by his daughter?

12 A. I did not.

13 Q. So how do you know they received  
14 theirs at a time other than when you  
15 received yours?

16 A. They showed me they had received  
17 them.

18 Q. When did -- who is they?

19 A. Allison received a poem from Dean  
20 Lehrer.

21 Q. When did she show you her copy?

22 A. I don't recall.

23 Q. Who else showed you theirs?

24 A. I don't know -- I don't recall if



1       it was Chris Greiner in the Academic  
2       Initiatives office.

3           Q.   Okay.  Anybody else that you  
4       recall showing you their copy of poems  
5       written by Dean Lehrer's daughter?

6           A.   I don't recall.

7           Q.   When did Allison show you her  
8       copy?

9           A.   I don't recall.

10          Q.   When she showed you hers, had you  
11       received yours at that point?

12          A.   I don't recall.  I actually never  
13       opened it and read it.  I didn't have time  
14       for it really.

15          Q.   Did he hand it to you or was it  
16       given to you in some other way?

17          A.   I believe he handed it to me.

18          Q.   Did he say something to you when  
19       he gave it to you?

20          A.   I don't recall.  Probably  
21       something like, I'd like you to have this.

22          Q.   Did you say anything back to him?

23          A.   I asked what it was, and he said  
24       it was a collection of poems, I believe,

1 from his daughter.

2 Q. Anything else that either one of  
3 you said?

4 A. I don't recall.

5 Q. Where were you when he gave you  
6 the poems written by his daughter?

7 A. I believe I was in his office.

8 Q. Okay. Did he give you these  
9 poems, this collection of poems, before or  
10 after the time that he made these  
11 statements that you allege are sexual  
12 harassment?

13 A. I believe it was before.

14 Q. Do you recall how long before?

15 A. I do not.

16 Q. Were there any statements made by  
17 Dean Lehrer before October 2006 that you  
18 allege to be sexual harassment?

19 A. He would ask me to come over and  
20 -- close to him, and then he would hug me.

21 Q. When did he ask you to come closer  
22 to him and then hug you?

23 A. I don't recall exactly. I started  
24 working in May -- well, I don't recall to

1 tell you the truth.

2 Q. So you don't recall when that was  
3 first said by him?

4 A. I don't recall.

5 Q. Okay. And how many times did he  
6 ask you to come close to him?

7 A. Several times.

8 Q. How many?

9 A. I don't know how many.

10 Q. Okay. Can you give me an  
11 estimate?

12 A. More than five.

13 Q. Okay. Was it more than ten?

14 A. I don't recall.

15 Q. And when was the first time that  
16 he asked you to come close to him?

17 A. I don't recall.

18 Q. How many times did he hug you?

19 A. More than five.

20 Q. Okay. Was it more than ten?

21 A. I don't recall.

22 Q. When was the first time that he  
23 hugged you?

24 A. I don't recall.

1 Q. Where were you when he hugged you  
2 the first time?

3 A. I don't recall.

4 Q. Do you recall where you were at  
5 any of the times that he hugged you?

6 A. I recall one time he asked me to  
7 come into his office, and he asked me to  
8 step over to him; and he said, Step over  
9 here behind the door, and he said, I think  
10 that you are terrific. He gave me a big  
11 smile and hugged me.

12 Q. Did he put both arms around you?

13 A. Yes.

14 Q. How long did the hug last?

15 A. I don't recall.

16 Q. Was anyone in the office when he  
17 did this? In his office?

18 A. No.

19 Q. Was anyone in any other part of  
20 the Dean's office when this occurred?

21 A. I don't recall.

22 Q. And what did you do after he  
23 hugged you?

24 A. I stepped back and felt

1       uncomfortable, and I don't remember really  
2       what exactly I did. I didn't do any  
3       particular thing.

4             Q. Did you allow him to hug you?

5             A. I -- he kind of caught me off  
6       guard. I didn't really expect him to hug  
7       me.

8             Q. That didn't answer my question.  
9       Did you allow him to hug you?

10            A. I did not allow him to hug me.

11            Q. Okay.

12            A. I didn't know he was going to hug  
13       me.

14            Q. Did you pull his arms off of you  
15       the moment that they touched your body?

16            A. I don't recall.

17            Q. Okay. Did he say anything else to  
18       you during that encounter?

19            A. I don't recall.

20            Q. Where was he when he asked you to  
21       come into his office during this instance  
22       that you've just testified to? Was he at  
23       his desk? Was he someplace else?

24            A. He was standing near the door.

1 Q. Okay. And where were you?

2 A. I was in my office.

3 Q. How far is your office from his  
4 office?

5 A. A good 20 yards, 10, 20 yards.

6 Q. Okay. How did he get your  
7 attention to -- to come to his office?  
8 How -- I'm sorry. Did you hear my  
9 question?

10 A. Yes. I don't remember if he  
11 called me or if there was someone else in  
12 the office that he asked to call me into  
13 the office. I don't remember.

14 Q. But you did come to his office,  
15 correct?

16 A. Yes.

17 Q. And when you arrived at his  
18 office, you said that he was standing up,  
19 correct?

20 A. I believe he was standing up, yes.

21 Q. Where was he in relation to the  
22 door?

23 A. He was in front of the opening of  
24 the door.

1           Q.   Okay.   So was he right in the  
2   threshold of the doorway?

3           A.   He was a little off to the side,  
4   on the -- on the right, I believe.

5           Q.   Okay.   And was he -- but was he in  
6   the threshold or was he in front of it or  
7   behind it?   And when I say threshold, do  
8   you know what I mean?

9           A.   Directly underneath the door?

10          Q.   Correct.

11          A.   He was definitely within his  
12   office confines.

13          Q.   All right.   And he asked you to  
14   step behind the door?

15          A.   Yes.

16          Q.   Which way does the door to his  
17   office open?

18          A.   It opens into his office.

19          Q.   Okay.   And if you are standing in  
20   his office looking out of his office,  
21   which side is the door hinged to?   If you  
22   understand my question.

23          A.   I believe it's -- the door would  
24   open to the left.

1           Q. So you believe that the hinges on  
2 the door are on the left side of the  
3 doorway?

4           A. The door would open coming inward  
5 into the office. I don't know about the  
6 hinges.

7           Q. Into his office?

8           A. Yes, I believe so.

9           Q. And would open to the left, you  
10 said?

11          A. Yes.

12          Q. Did he shut the door after you  
13 walked in or did it remain open?

14          A. I believe it remained open.

15          Q. Did he move the door at all when  
16 you came in?

17          A. I believe that he closed the door  
18 as much as possible, but he did not close  
19 the door completely.

20          Q. Okay. How much space remained  
21 before the door would be closed  
22 completely?

23          A. I don't recall.

24          Q. Okay. And is it your testimony



1       that -- strike that.

2                   Was Dean Lehrer using his two  
3       canes at the time that this occurred?

4           A.   I don't recall that he had two  
5       canes at that time.

6           Q.   Okay.  Do you remember him ever  
7       having two canes or using two canes?

8           A.   Yes, I do.

9           Q.   Okay.  Do you remember when --  
10       strike that.

11                   Has he used two canes, to  
12       your knowledge, since the time you first  
13       started working in his office?

14           A.   He did use two canes after I began  
15       working in his office.

16           Q.   How long after?

17           A.   I believe he fell in October  
18       of '05, so sometime in January or so of  
19       '06.

20           Q.   Okay.  And from January of '06  
21       until you left his office, he used two  
22       canes to walk, correct?

23           A.   I don't know about that.  I don't  
24       know how long he used those canes.

1           Q.   Okay.   Was he holding the canes  
2   when he -- as you approached the office  
3   that day that he gave you the hug?

4           A.   He was not using two canes, no.

5           Q.   Okay.   Was he using one cane?

6           A.   I believe he did have one cane.

7           Q.   Okay.   And is it your testimony --  
8   strike that.

9                       What happened to that cane  
10   when he hugged you?

11          A.   He leaned it up against the wall  
12   between the wall and the bookcase, behind  
13   the door.

14          Q.   Did you say anything -- and I may  
15   have asked you this question, I apologize.  
16   After he hugged you, did you say anything?

17          A.   I don't recall what I said.   It  
18   was uncomfortable and odd.

19          Q.   Did you say anything at all?

20          A.   I don't recall.

21          Q.   How long did you remain in his  
22   office after the hug?

23          A.   I don't recall.

24          Q.   Were there other hugs from Dean

1       Lehrer?

2           A.   Yes.

3           Q.   Okay.   And when did the next one  
4       occur?

5           A.   I don't recall if there was one  
6       before that or when after that.

7           Q.   How long after this hug that you  
8       testified to was it before the next hug  
9       occurred?

10          A.   I don't recall.

11          Q.   Do you recall where any of the  
12       other hugs took place besides this one  
13       that you testified to?

14          A.   He did hug me or he tried to hug  
15       me after dinner one evening.

16          Q.   Okay.   When was that?

17          A.   In October of '06.

18          Q.   Where was the dinner?

19          A.   A steak house off of Rush.   I'm  
20       not sure.

21          Q.   Did this dinner occur after Dean  
22       Lehrer told you he wanted to have an  
23       affair with you, he wanted to have your --  
24       you to have his children, he wanted to

1       impregnate you, and he wanted to wake up  
2       in your bed?

3             A.   No.

4             Q.   It occurred before then?   This  
5       dinner occurred before those statements  
6       were made?

7             A.   Yes, yes, yes.

8             Q.   Okay.   Who was at the steak house  
9       with you and Dean Lehrer?

10            A.   No one besides Dean Lehrer and  
11       myself.

12            Q.   What was the date of the dinner?

13            A.   October, second week of October.  
14       I'm not sure.

15            Q.   How was it that you came to have  
16       dinner with Dean Lehrer --

17            A.   He --

18            Q.   -- in October 2006?

19            A.   Excuse me.   He insisted that I  
20       have dinner with him.

21            Q.   Okay.   What did he say to you?

22            A.   He stated that he wanted to  
23       schedule some time together to have  
24       dinner, and this was beginning toward the

1       end of September. And I kept insisting  
2       that I didn't have time, would it be  
3       possible..., things like that, and he  
4       said, I'm putting it on the calendar on  
5       this date, you know, and I said, I can't  
6       do that particular date. He said, Well,  
7       you know, then this date, or something.  
8       So he insisted that I have dinner, so I  
9       had dinner with him. He also had dinner  
10      with James MacDonald many times. So I  
11      didn't note it as anything unusual.

12           Q. When you say insisted, what do you  
13      mean that he insisted?

14           A. I was saying I was too busy to  
15      have dinner, and he was very persistent  
16      that we would, in fact, have dinner.

17           Q. Did he tell you what he wanted you  
18      to have dinner with him for?

19           A. He did not.

20           Q. And why did you go to dinner with  
21      him?

22           A. Because he insisted that I have  
23      dinner with him, and he was my boss.

24           Q. Okay. What did you think would

1       happen if you told him you just couldn't  
2       go to dinner, if you declined his  
3       invitation?

4           A.   I did decline his invitation, and  
5       he insisted that I went to dinner.

6           Q.   Did he threaten you in any way if  
7       you didn't go to dinner with him?

8           A.   He did not threaten me.   He did  
9       insist that I have dinner with him.

10          Q.   All right.   Did he threaten to  
11       penalize you in any way at work if you did  
12       not go to dinner with him?

13          A.   I believe his words were, I insist  
14       that you have dinner with me.

15          Q.   Okay.   My question was whether he  
16       said he would penalize you in any way at  
17       work if he did not -- if you did not join  
18       him for dinner?

19          A.   I don't believe he said that.

20          Q.   Okay.   What restaurant did you go  
21       to?

22          A.   Pardon me?

23          Q.   What restaurant did you go to?

24          A.   We went to a steak house off of

1 Rush Street.

2 Q. Okay. Do you recall the name?

3 A. I don't recall.

4 Q. Did you meet Dean Lehrer there?

5 A. No. We went together in a cab.

6 Q. Okay. Where did you leave -- from  
7 where did you leave?

8 A. The school, I believe.

9 Q. Had you ever been to dinner with  
10 Dean Lehrer before then?

11 A. I did have dinner with Dean Lehrer  
12 at his home.

13 Q. When?

14 A. I don't recall when.

15 Q. Can you give a year?

16 A. Probably 2005.

17 Q. What time of the year was it?

18 A. Probably fall.

19 Q. Who else was at that dinner?

20 A. Jim MacDonald, Jim MacDonald's  
21 wife, Allison Ratliff, Dean Lehrer's wife.  
22 There were some guests that were also  
23 there.

24 Q. And what was the occasion of that

1 dinner?

2 A. They were honoring or inviting a  
3 resident artist to have dinner with them.

4 Q. And who was that artist?

5 A. I don't recall.

6 Q. Other than that dinner at Dean  
7 Lehrer's home, before this dinner at the  
8 steak house on Rush Street, were there any  
9 other occasions when you went to dinner  
10 with Dean Lehrer?

11 A. I don't recall if I -- I don't  
12 recall. I don't believe I had dinner with  
13 Dean Lehrer any other time.

14 Q. Other than the occasion you talked  
15 about in which an artist-in-residence was  
16 present or had been invited, were there  
17 any other occasions when you were at Dean  
18 Lehrer's home?

19 A. I don't believe so.

20 Q. Were there any occasions before  
21 this dinner at the steak house when you  
22 had lunch with Dean Lehrer?

23 A. Yes.

24 Q. Okay. And I'm not talking about



1 meeting -- lunch meetings. Let's exclude  
2 any lunch meetings within the school or  
3 with different faculty or staff. My  
4 question is with regard to -- well, let's  
5 start with any meetings out of the  
6 office -- I'm sorry -- any lunches out of  
7 the office?

8 A. Yes, there were meetings out of  
9 the office.

10 Q. Okay.

11 A. In which we had meals.

12 Q. Okay. And it was just you and  
13 Dean Lehrer?

14 A. No. It was myself and other  
15 Columbia employees.

16 Q. Were there any occasions when only  
17 you and Dean Lehrer had lunch together?

18 A. I don't believe so.

19 Q. Any occasions when you socialized  
20 with Dean Lehrer aside from what -- aside  
21 from the dinner at his home and the steak  
22 house -- and before the steak house  
23 dinner?

24 A. I don't believe so, no.

1           Q. Let's go back to the -- the dinner  
2           in October 2006 at the steak house on Rush  
3           Street. You said that the two of you  
4           shared a cab to the restaurant?

5           A. Yes.

6           Q. Okay. Did he say anything to you  
7           in the cab?

8           A. He did make remarks in the cab. I  
9           think he was showing me a book with a  
10          drawing in it, and something about this  
11          person has a long neck and is graceful,  
12          very much like you, et cetera. I believe  
13          that was that evening.

14          Q. Anything else that he said to you  
15          in the cab?

16          A. I don't recall what he said. I  
17          was shocked.

18          Q. Did you say anything in response  
19          to what he said?

20          A. I don't recall what I said. I'm  
21          sure I said something.

22          Q. But you have no idea what it was?

23          A. I don't recall what it was.

24          Q. What was discussed at the

1 restaurant?

2 A. At the restaurant, I think he --  
3 after we had ordered something to eat, he  
4 came right out and said, I have to tell  
5 you that I have strong feelings for you,  
6 and he followed up with some other things  
7 of that sort. I don't remember exactly  
8 what he said.

9 Q. Do you remember generally what he  
10 said besides, I have strong feelings for  
11 you?

12 A. I don't remember.

13 Q. Okay. What did you say when he  
14 said, I have strong feelings for you?

15 A. I don't remember what I said. I  
16 think I had asked something about was he  
17 having problems at home or things like  
18 this.

19 Q. And what did he say?

20 A. I don't remember.

21 Q. So other than what you've just  
22 testified to, is it your testimony that  
23 you don't recall anything else that was  
24 said during that dinner?

1           A. At this time, I do not recall  
2 specifically what was said at that dinner.

3           Q. Or generally, you don't recall  
4 even generally what was said, correct?

5           A. Generally, Dean Lehrer was  
6 professing that he had feelings for me.  
7 That's what I can recall.

8           Q. Okay. How long did that dinner  
9 last?

10          A. I don't recall.

11          Q. Did you have dessert?

12          A. I don't recall.

13          Q. Did you have wine?

14          A. I don't recall.

15          Q. Did you have any kind of cocktail?

16          A. I don't recall.

17          Q. Or any alcohol at all?

18          A. I don't recall.

19          Q. Did Dean Lehrer have any kind of  
20 alcohol during that dinner?

21          A. I don't recall.

22          Q. Okay. How did you leave the  
23 restaurant?

24          A. I was -- we were leaving the

1 restaurant together, and I was going to  
2 get a cab; and he said that we lived close  
3 and that he would give me a ride, and I  
4 said, Okay, and then we left the  
5 restaurant.

6 Q. So, he gave you a ride in a cab?

7 A. Yes.

8 Q. Why did you go in the cab with  
9 him?

10 A. Because he was my boss and  
11 insisted that I take a cab ride from him.

12 Q. So, it's your testimony that he  
13 insisted you share a cab with him home?

14 A. Yes.

15 Q. What did he say?

16 A. I insist.

17 Q. I insist what?

18 A. I insist that you take a cab home  
19 with me. I mean, not verbatim, but he  
20 insisted.

21 Q. Okay. What was your concern if  
22 you did not share a cab ride with him?

23 A. It was just an entirely awkward  
24 evening. I had never been in a position

1       like that, and I don't know. I didn't  
2       really give it a whole lot of thought  
3       other than trying to just get, you know,  
4       get home.

5           Q. Did Dean Lehrer threaten you in  
6       any way if you didn't take a cab home with  
7       -- share a cab with him?

8           A. No. No, he did not threaten me.

9           Q. The cab -- did you go home first  
10      or did the cab drop you off first or him?

11          A. Me first.

12          Q. And how long was that ride from  
13      the time you left the restaurant until the  
14      cab dropped you at your home?

15          A. Perhaps, six minutes.

16          Q. And was there conversation during  
17      that time?

18          A. Yes, there was conversation during  
19      that time.

20          Q. What was said?

21          A. I don't recall exactly. Something  
22      about he thought I was terrific and  
23      wonderful and things of that nature.

24          Q. Anything else that you can

1 remember?

2 A. No.

3 Q. Did he touch you at all at any  
4 point during that evening?

5 A. Yes, he did touch me.

6 Q. When did he touch you?

7 A. After that cab ride.

8 Q. The cab ride home?

9 A. Yes.

10 Q. Okay. And what was the physical  
11 contact?

12 A. He embraced me and told me that he  
13 wanted to have an affair with me.

14 Q. Okay. He embraced you in the cab  
15 or did he get out of the cab?

16 A. He got out of the cab and said he  
17 wanted to see my apartment.

18 Q. Okay. When was the embrace?

19 A. In my apartment.

20 Q. So you let him into your  
21 apartment?

22 A. I had just purchased a new  
23 apartment, and he said he wanted to see  
24 the new apartment. And I said, I would be

1 watching the baseball game, the World  
2 Series, Detroit, and he said that he -- I  
3 don't remember what he said, but, yes, I  
4 allowed him in my apartment.

5 Q. When was the embrace?

6 A. When was the embrace? Later that  
7 evening. I'm not sure.

8 Q. So, did he hug you when you got  
9 out of the cab at your apartment?

10 A. I don't recall.

11 Q. He was using his two canes at the  
12 time?

13 A. I don't think he was, no.

14 Q. Was he using one cane at the time?

15 A. I believe he was using one cane.

16 Q. Okay. If the testimony indicated  
17 that he was using two canes that night,  
18 would you have any basis to dispute it?

19 A. I can't recall. I don't remember.  
20 I don't know.

21 Q. So your answer would be, no?

22 A. I don't recall. Yeah, I don't  
23 know.

24 Q. Is your apartment on the first --



1 street level?

2 A. No.

3 Q. Okay. How many stories up is your  
4 apartment?

5 A. Ten stories.

6 Q. And there's an elevator, I assume?

7 A. Yes.

8 Q. How many who -- -- strike that.

9 Did you have a boyfriend at  
10 the time -- as of the night that you had  
11 this dinner at the steak house with Dean  
12 Lehrer?

13 A. What would that have to do with  
14 it?

15 Q. I'm just asking the question.

16 A. I don't recall.

17 Q. You don't remember if you were  
18 dating anyone at that time?

19 A. I don't recall if I was dating  
20 anyone at that time.

21 Q. So, you might have been. You just  
22 don't remember?

23 A. I don't recall if I had a  
24 boyfriend at that time.

1           Q. Did you have a boyfriend at any  
2 time while you were working in the Dean's  
3 office?

4           A. I don't recall.

5           Q. So for the period from May 2005  
6 until October of 2006, it's your testimony  
7 that you don't recall whether you had a  
8 boyfriend at any point during that time?

9           A. I do not recall if I had a  
10 boyfriend at any point during that time.

11          Q. What happened when you -- after  
12 you let Dean Lehrer into your apartment  
13 that night?

14          A. I believe I turned on the baseball  
15 game and watched the baseball game, took  
16 off my coat, sat on the couch.

17          Q. The baseball game was on T.V., I  
18 assume, correct?

19          A. Yes.

20          Q. Okay. Where was the television  
21 that you were watching it on?

22          A. In my living area.

23          Q. Okay. And that's -- where did you  
24 sit while you were watching the game?

1 A. On the couch.

2 Q. Where was Dean Lehrer during this  
3 time?

4 A. I believe -- I believe he sat on  
5 the couch as well.

6 Q. What time did you get to your  
7 apartment?

8 A. I don't recall.

9 Q. Do you remember at what point the  
10 baseball game was at the time that you  
11 turned on the television?

12 A. I don't recall.

13 Q. And who was playing?

14 A. The Detroit Tigers were playing.

15 Q. And who were they playing? Do you  
16 remember who their opponent was?

17 A. I don't remember who it was.

18 Q. Where did Dean Lehrer -- strike  
19 that.

20 Did Dean Lehrer sit down  
21 while you were in his -- he was in your  
22 apartment?

23 A. Yes. He did sit down on the  
24 couch.

1 Q. On the same couch that you were  
2 sitting on?

3 A. Yes. I have one couch.

4 Q. And was there any conversation  
5 between the two of you while you were in  
6 your apartment with him?

7 A. Conversation about the baseball  
8 game for sure, and then Leonard talked  
9 about there was something he must tell me.  
10 And I think he went on to say that he had  
11 given it some thought and that he had felt  
12 it was unbelievable, but that he had  
13 feelings for me and that he wanted to have  
14 an affair and that he can't control  
15 himself and he went on about wanting to  
16 wake up in my bed, extracting semen from  
17 himself, wanting me to bear his children,  
18 and then -- whatever else, things like  
19 that.

20 Q. Was there anything else that --  
21 that he said?

22 A. He said he'd like me to model for  
23 him. He wanted to draw me in the nude.  
24 He also said that if I would work with

1 him, he could really get my work up to  
2 par. I think that was a lot of it.

3 Q. And so this was the occasion, you  
4 testified a little while ago, this was the  
5 occasion in October 2006 when he made  
6 these statements, correct?

7 A. I believe so, yes.

8 Q. Okay. Was anyone else in the  
9 apartment at the time?

10 A. No, no one was in the apartment at  
11 the time.

12 Q. What did you say after he said all  
13 these things?

14 A. I said, Well, that's not going to  
15 happen, and I think he -- I don't remember  
16 the sequence of events, but he tried to  
17 hug me and kiss me, and then I pushed him  
18 away and said something about that wasn't  
19 going to happen. And he sat there for a  
20 few minutes, and I think he excused  
21 himself and went home.

22 Q. Was he able to hug you?

23 A. He put his arms around me and held  
24 me, trying to kiss me, and I pushed him

1 away.

2 Q. Did you -- go ahead. You were  
3 going to say something?

4 A. I believe also that evening he had  
5 said that his wife would be going away and  
6 -- for the holidays and could we schedule  
7 some time together and some other forward  
8 planning he had wanted to put down.

9 Q. Okay. Have you seen the contents  
10 of your personnel file?

11 A. Yes, I have.

12 Q. When was the last time that you  
13 looked at anything that came out of your  
14 -- had been in your personnel file?

15 A. Sometime after I was terminated.

16 Q. Okay. Have you reviewed any  
17 documents -- you testified a moment ago  
18 that you reviewed your complaint before  
19 coming here, correct?

20 A. Yes.

21 Q. And when did you review your  
22 complaint?

23 A. Yesterday.

24 Q. And have you reviewed any

1 documents besides that complaint?

2 A. No.

3 Q. Since leaving -- strike that.

4 You testified that you  
5 reviewed some documents from your  
6 personnel file after leaving Columbia  
7 College?

8 A. Yes. I was instructed to get my  
9 documents, from my attorney, from  
10 Columbia.

11 Q. When was the last time that you  
12 looked -- strike that.

13 Aside from the complaint that  
14 was filed in this case, when is the last  
15 time that you looked at any document that  
16 pertained to this case?

17 A. Any document that pertained to  
18 this case or any document that was in my  
19 personnel file?

20 Q. Let's include all because -- I'll  
21 include your personnel documents as  
22 documents that pertain to this case.  
23 What's the most recent occasion when you  
24 looked at either documents generated for

1       this case or documents from your personnel  
2       file?

3           A.   Yesterday I looked at the  
4       complaint for this case.

5           Q.   Aside from that, when was the most  
6       recent occasion you looked at either  
7       documents from your personnel file or  
8       documents generated for this case?

9           A.   Each and every time I was given  
10      documents to review for this case. I  
11      don't recall exactly.

12          Q.   Would it have been within the last  
13      couple of weeks?

14          A.   I don't recall. It could be a  
15      month ago.

16          Q.   Okay. And what was -- what was or  
17      were those documents that you reviewed?

18          A.   The document to have this  
19      deposition.

20          Q.   Okay. Anything else?

21          A.   I don't recall. That's all I  
22      remember.

23          Q.   So, there may have been other  
24      documents you reviewed at that time, you



1 just don't remember?

2 A. I believe that that was the most  
3 recent document I reviewed, was the  
4 deposition.

5 Q. The deposition notice?

6 A. Yes.

7 Q. Okay. But were there other  
8 documents you reviewed at that time as  
9 well? You just don't recall which ones  
10 they were?

11 A. No. I believe that was the most  
12 recent document.

13 Q. Okay. Have you seen notes that  
14 Patricia Olalde made regarding her  
15 discussions with you about your  
16 allegations?

17 A. If they were in my personnel file,  
18 I would have reviewed them.

19 Q. When was the last time you  
20 reviewed those notes?

21 A. It would have been immediately  
22 after I received those documents.

23 Q. Which was when?

24 A. I believe it was in November

1 of '07.

2 Q. Is that the only time you reviewed  
3 them?

4 A. I don't recall.

5 Q. All right. Let's go back. You  
6 said that Dean Lehrer left your apartment,  
7 correct?

8 A. Yes.

9 Q. Okay. Do you know where -- you've  
10 been to Dean Lehrer's home, correct?

11 A. Yes. I testified that I had been  
12 to his home prior to that.

13 Q. Okay. And where -- when you were  
14 at his home, where was he living at that  
15 time?

16 A. He was living on Belmont and  
17 Melrose, I believe.

18 Q. Okay. To your knowledge, was he  
19 living at the same location the night that  
20 you went to dinner with him at the steak  
21 house?

22 A. Yes.

23 Q. Do you know how he got home the  
24 night he left your apartment?

1           A. I do not know how he got home.

2           Q. Let's back up a minute. You said  
3 -- let me ask you. You said that Dean  
4 Lehrer tried to -- that he hugged you. He  
5 actually did hug you on the couch,  
6 correct?

7           A. He put his arms around me and  
8 tried to kiss me.

9           Q. And where were you each in  
10 relation to each other on the couch at the  
11 time that that happened?

12          A. We were sitting beside each other,  
13 but not touching each other.

14          Q. How much space was between you and  
15 Dean Lehrer on the couch?

16          A. I don't recall. There was space  
17 between us. There was less than 2 feet of  
18 space between us.

19          Q. Does this couch have cushions?

20          A. Yes, it has cushions on the couch.

21          Q. Okay. And I know some couches --  
22 because I was shopping awhile back -- but  
23 some have seat cushions -- two seat  
24 cushions, some have three seat cushions,

1       some are just like a bench. What was the  
2       cushion configuration on that couch?

3           A. I don't recall. I no longer have  
4       the couch.

5           Q. Which direction were you facing  
6       when he hugged you?

7           A. I was facing forward (indicating),  
8       toward the television.

9           Q. Could you see him out of your  
10      peripheral vision?

11          A. Yes.

12          Q. Your back wasn't toward him,  
13      correct?

14          A. No, my back was not toward him.

15          Q. Okay. Which -- as you were facing  
16      the television, which side of your body  
17      was he seated on?

18          A. The right side of my body.

19          Q. Okay. So you were able to see him  
20      coming towards you, I assume, as he  
21      approached you to hug you, if there was  
22      space between you on the couch, correct?

23          A. I could see him. I did not see  
24      him and know that he was going to hug me.

1           Q.   Okay.   Why didn't you stop him  
2   before he got his arms all the way around  
3   your body?

4           A.   I don't recall.   Probably, because  
5   I was engaged with the baseball game.

6           Q.   Okay.   And is it your testimony  
7   that he got both arms around your body?

8           A.   I don't recall.

9           Q.   Where were -- let's assume if --  
10   if it was both arms, which part of your  
11   body were they around?   Was it the upper  
12   part of your body?   Was it around your  
13   waist or someplace else?

14          A.   I don't recall.

15          Q.   How long did he have his arms  
16   around your body, or arm?

17          A.   I pushed him off fairly quickly,  
18   so not that long.

19          Q.   Can you -- was it a matter of  
20   seconds?

21          A.   It was probably ten seconds.   I'm  
22   guessing.

23          Q.   So it's your testimony that he had  
24   at least one arm around you for ten full

1 seconds?

2 A. No. I would say it was less than  
3 ten seconds.

4 Q. Okay. And he kissed you?

5 A. He tried to kiss me.

6 Q. But he was unsuccessful?

7 A. I don't recall.

8 Q. Well, did he kiss you?

9 A. I don't recall.

10 Q. All right. How do you know he was  
11 trying to kiss you?

12 A. Because he had puckered his lips  
13 and put them toward my face.

14 Q. And what stopped him from making  
15 contact?

16 A. I pushed him away with both my  
17 hands.

18 Q. When you pushed him, how hard did  
19 you push? Did he fall backwards?

20 A. He did not fall backwards.

21 Q. How soon after you pushed him away  
22 did he stand up?

23 A. I don't recall exactly. It was  
24 probably five minutes or less.

1 Q. Where were his canes at the time  
2 that he was sitting next to you on the  
3 couch?

4 A. Near the couch. I don't know  
5 exactly where they were.

6 Q. And did he take them with him when  
7 he left?

8 A. I believe he would have taken them  
9 with him, yes. They were not in my  
10 apartment.

11 Q. You never found any of his canes  
12 in your apartment, correct?

13 A. I did not find a cane in my  
14 apartment.

15 Q. Okay. You referenced this --

16 MS. KAY: It's about 12:45. Is it  
17 all right with you if I go maybe another  
18 15, 20 minutes, and then let's take a  
19 break for lunch?

20 MR. LEE: Sure.

21 BY MS. KAY:

22 Q. You referenced this dinner as one  
23 of the occasions when Dean Lehrer hugged  
24 you, correct?

1 A. Yes.

2 Q. Okay. Are there any other  
3 occasions that you remember, sitting here  
4 today, when he hugged you?

5 A. There are occasions that he hugged  
6 me. I don't recall when they were  
7 exactly.

8 Q. Where were they? Where did they  
9 occur?

10 A. I don't recall.

11 Q. So aside from the hug that took  
12 place in his office and the hug that took  
13 place in your apartment, you can't tell me  
14 anything about any other hugs that  
15 occurred between you and Dean Lehrer,  
16 correct?

17 A. He did hug me, and I don't recall  
18 exactly when and where.

19 Q. Did you ever ask Dean Lehrer not  
20 to hug you?

21 A. I don't recall if I did or not.

22 Q. Did you ever tell him you did not  
23 want to be -- did you ever tell him not to  
24 hug you?



1           A. I did tell him that we should not  
2           be sitting in the office with the door  
3           closed, together, alone.

4           Q. But did you ever tell him not to  
5           hug you?

6           A. I don't recall. I don't think I  
7           did, no.

8           Q. What brought about your comment to  
9           him that you shouldn't be sitting in the  
10          office alone with him?

11          A. There was a sexual harassment  
12          information meeting, and that was one of  
13          the things. He asked me how the meeting  
14          went, and I said, Well, actually, you  
15          know, it's suggested that we don't sit in  
16          the office with the door closed.

17          Q. When was the -- was this the  
18          sexual harassment training that you  
19          attended?

20          A. Yes.

21          Q. When was that training?

22          A. I believe it was February of '06  
23          or something.

24          Q. Okay. And Dean Lehrer asked you

1       how it went?

2           A.   Yes.

3           Q.   How long after the training did he  
4       ask you this question?

5           A.   Probably upon my return to the  
6       office.

7           Q.   Were there any other discussions  
8       you had with him regarding the sexual  
9       harassment training?

10          A.   There were discussions that we  
11       were all expected to attend the sexual  
12       harassment training; meaning, all the  
13       employees of Columbia, and that, you know,  
14       the Human Resources office had asked the  
15       Dean's office to coordinate, to have  
16       people attend, and schedule them, and be  
17       sure that it happens. So we had  
18       conversations about that.

19          Q.   Okay. But, substantively, were  
20       there any conversations you had with him  
21       regarding the training other than what you  
22       just told me about your comment to him?

23          A.   No.

24          Q.   Okay. Did you ever initiate a hug

1 with Dean Lehrer yourself?

2 A. Yes.

3 Q. Okay. On how many occasions did  
4 you initiate a hug with him?

5 A. I don't recall.

6 Q. Was it more than once?

7 A. Yes.

8 Q. Was it more than five times?

9 A. I don't recall.

10 Q. So it's possible it was more than  
11 five times. You just don't remember?

12 A. I don't recall.

13 Q. Okay. Where were you when you  
14 initiated these hugs? And you can tell me  
15 if it was more than one location.

16 A. I did hug him goodbye after I  
17 walked him downstairs when his wife was  
18 picking him up.

19 Q. Downstairs at the college?

20 A. Yes.

21 Q. Any other locations that you  
22 recall?

23 A. I don't recall.

24 Q. Did you ever initiate a kiss with

1 Dean Lehrer, as in a kiss hello or  
2 goodbye?

3 A. Yes.

4 Q. Okay. And on -- were those kisses  
5 -- well, let me ask you this: Was it more  
6 than one occasion when you initiated a  
7 kiss?

8 A. A kiss on the cheek to say  
9 goodbye, feel better at the hospital, yes.

10 Q. How many occasions were there when  
11 you kissed him on the cheek?

12 A. Probably more than -- more than  
13 three times.

14 Q. Okay. More than ten times over  
15 the course of your entire work in the  
16 department?

17 A. I don't know. I have no idea.

18 Q. Did you ever kiss him on the  
19 mouth?

20 A. I don't know. I don't recall.

21 Q. Did he make any statement --  
22 before October 2006, was there any  
23 statement made by Dean Lehrer to you which  
24 you found to be offensive?

1           A. I'm sorry. Could you repeat that?

2           Q. Sure. You testified about these  
3       comments that Dean Lehrer made in October  
4       of 2006, and what I'm asking is whether  
5       there were any other comments made by Dean  
6       Lehrer that predate this collection of  
7       comments you've testified to from  
8       October 2006?

9           A. I felt he was excessively  
10       complimentary saying, I was terrific, I  
11       think you're just wonderful, I enjoy  
12       seeing you every day. Those are the only  
13       things that come to mind.

14          Q. Okay. Were there any attempts at  
15       physical contact by Dean Lehrer other than  
16       what you've testified to?

17          A. There were -- there were occasions  
18       that he would ask me to come into his  
19       office that were not necessarily he was  
20       trying to hug me, but he often had me come  
21       into his office to be there, and it didn't  
22       seem like it was very important, sort of  
23       spending time in his office.

24          Q. But was there physical contact

1       aside from what you've already testified  
2       to?

3           A.   There may have been.   I don't  
4       recall.

5           Q.   Did you ever hear him compliment  
6       any other members of his staff?

7           A.   I believe so, yes.

8           Q.   Okay.   Who else did he compliment?

9           A.   I believe Allison.

10          Q.   Okay.   Anyone else?

11          A.   I don't think so.   Not that I can  
12       recall.

13          Q.   What did he say to Allison?

14          A.   That he thought she was terrific.

15          Q.   Anything else?

16          A.   I don't think so.

17                MS. KAY:   All right.   Why don't we  
18       take a break now, if that works for  
19       everybody?

20                MR. LEE:   Sure.

21                        (A luncheon recess was  
22                        taken.)

23                MS. KAY:   Back on the record.

24

1 BY MS. KAY:

2 Q. Ms. Lewandowski, you understand  
3 you're still under oath, correct?

4 A. Correct.

5 Q. Okay. You first complained to  
6 Patricia Olalde in the Human Resources  
7 department about Dean Lehrer's conduct on  
8 October 11, 2006, correct?

9 A. Yes.

10 Q. Okay. Were -- had you reported  
11 his conduct to anyone at Columbia before  
12 that date?

13 A. No.

14 Q. Tell me what you did on  
15 October 11th.

16 A. I went to the Human Resources  
17 department, asked if Patricia had a  
18 moment, and let her know that -- along the  
19 lines of I had an issue or I believe that  
20 Leonard had crossed the line and --

21 Q. Okay. You told -- I'm sorry. Go  
22 ahead.

23 A. And she asked me to sit down real  
24 quick and talk about it, I believe, and

1       upon leaving that meeting, she suggested  
2       that I tell him to stop as soon as  
3       possible.

4           Q.   You told her he was being -- you  
5       wanted her advice on his being too  
6       friendly; is that right?

7           A.   I -- I told him -- I believe I  
8       told her that he was, you know, being  
9       overly friendly or something like that.

10          Q.   Okay.

11          A.   I believe she asked me what  
12       happened. I gave her some examples, and  
13       then she told me to tell him to stop.

14          Q.   Was there anything that you told  
15       her that he did in addition to what you've  
16       already told us that he did?

17          A.   There may have been. I don't  
18       recall.

19          Q.   Okay. And she -- her advice to  
20       you was to -- what she said to you was  
21       that you should tell him to stop?

22          A.   Yes.

23          Q.   Okay. How did you know to go to  
24       see Patricia Olalde with this problem?



1           A. It was harassment, sexual  
2 harassment, and we were instructed to go  
3 to HR with any complaints.

4           Q. Why -- you told Patricia Olalde  
5 that you hadn't yet told Dean Lehrer to --  
6 that his conduct was unwelcome; is that  
7 correct?

8           A. I had told him that evening prior,  
9 the hopes that he had weren't going to  
10 happen.

11          Q. Okay. But you did not tell him to  
12 stop talking that way, correct?

13          A. I did not say those words to him.

14          Q. Okay. You told him that these  
15 things he suggested were not going to  
16 happen?

17          A. Yes.

18          Q. Okay. The meeting you had with  
19 her on October 11th, during that meeting,  
20 the conduct that you reported was the  
21 conduct from the day before, correct, on  
22 October 10th?

23          A. Correct.

24          Q. Okay. And was that the night that

1       you went out to dinner with Dean Lehrer  
2       and then he came to your apartment?

3           A.   I don't remember to tell you the  
4       truth.

5           Q.   Okay.   Do you recall how much time  
6       passed -- but the -- strike that.

7                   Do you recall how much time  
8       passed between that night when you had  
9       dinner at the steak house and he was at  
10      your house, between then and your report  
11      to Patricia Olalde on October 11th?

12          A.   It all occurred within a matter of  
13      a couple days.

14          Q.   Okay.   So if I told you that the  
15      records indicate that you had dinner with  
16      Dean Lehrer on October 10th and then made  
17      your first report to Patricia Olalde on  
18      October 11th, would you have any reason to  
19      disagree with that?

20          A.   No.

21          Q.   The fact that -- the night of  
22      October 11th you went out to dinner with  
23      Dean Lehrer again; isn't that correct?

24          A.   Dean Lehrer wanted to have dinner

1 two nights, definitely. He wanted to have  
2 dinner prior to that. I believe what  
3 happened was he had -- one night he -- we  
4 had gone to dinner, and on another night  
5 he had brought dinner to my apartment.

6 Q. So the dinner the night of the  
7 11th was the night that he brought dinner  
8 to your apartment?

9 A. I don't remember which -- the  
10 sequence of events.

11 Q. This dinner when he brought the  
12 food to your apartment, that occurred  
13 after your first discussion with Patricia  
14 Olalde, though, correct?

15 A. I don't know. I mean, it was one  
16 of the two nights. They're either  
17 reversed or --

18 Q. Okay.

19 A. They were sequential.

20 Q. So there was a dinner before your  
21 first report to her and then a dinner  
22 after your first report to her, correct?

23 A. There was -- Leonard had brought  
24 me -- myself something to eat. He did not

1 eat one night, and then one night we had  
2 gone to dinner.

3 Q. Okay. My question would still be  
4 the same. I'll --

5 A. Yes.

6 Q. Since you qualified it a little  
7 bit, one of those nights he didn't eat.  
8 He just brought you food?

9 A. Right.

10 Q. So one of -- let's call those the  
11 two meal nights.

12 A. Yeah, right.

13 Q. One meal night took place before  
14 your report on October 11th, and one meal  
15 night took place --

16 A. After.

17 Q. -- after you reported to Patricia  
18 Olalde?

19 A. Yes.

20 Q. Why -- why don't you explain the  
21 circumstances of how it was that Dean  
22 Lehrer brought you dinner?

23 A. He had wanted to have dinner.

24 Q. When did he tell you he wanted to

1 have dinner?

2 A. In September, he was planning to  
3 try and have dinner at the time -- later I  
4 found out that his wife was away at a  
5 particular time in October, which he was  
6 trying to schedule.

7 Q. So you had just had dinner with  
8 him on October 10th, correct?

9 A. I don't know if he had brought  
10 dinner on that night or it was the  
11 following night.

12 Q. Okay. All right. But you had had  
13 this -- there was a dinner meal on  
14 October 10th, correct?

15 A. Yes.

16 Q. Did you know which days his wife  
17 was out of town?

18 A. I did not know that she was out of  
19 town whatsoever.

20 Q. Okay. So I interrupted you. You  
21 said that he had wanted to have dinner.  
22 How was it that he came to bring you  
23 dinner?

24 A. He had another meeting scheduled

1 with the Provost and some other people,  
2 and I had other things going, either a  
3 class or a lab work or something. I was  
4 in graduate school at the same time, and I  
5 said, It wasn't possible. You know, he  
6 said, Well, I would leave early and bring  
7 you something from the restaurant. I  
8 said, Well, I'm going to be watching the  
9 baseball game, likely if it was that day,  
10 and, you know, those are my plans. And so  
11 I agreed to it, and then he -- he may have  
12 -- he may have called me. I may have been  
13 working in the office later, and he  
14 suggested that, if I remember correctly,  
15 that he pick me up in a cab and bring  
16 dinner and then we'd go to my apartment.  
17 I believe that's how it went.

18 Q. And is that how it actually went?

19 A. I believe that's how it went.

20 Q. So where were you when he picked  
21 you up in the cab?

22 A. I believe I was at work in the  
23 office.

24 Q. And he was coming from a

1 restaurant?

2 A. Yes.

3 Q. Where he was at a work function?

4 A. Yes.

5 Q. And what time of the night did he  
6 pick you up?

7 A. Maybe 8:00 o'clock.

8 Q. You had already at this point,  
9 though, complained to Patricia Olalde  
10 about what he said to you the previous  
11 night at dinner, correct?

12 A. Correct.

13 Q. And so why did you agree and she  
14 told -- strike that.

15 Her advice to you or her  
16 question to you was whether you had told  
17 him --

18 A. Right.

19 Q. -- that you didn't want that  
20 conduct, correct?

21 A. Correct.

22 Q. So why did you, in spite of that,  
23 agree to let him come pick you up and  
24 bring you dinner and take you to your

1 apartment?

2 A. So that I could let him know that,  
3 you know, I didn't want that conduct and  
4 he would have to stop. I didn't have an  
5 opportunity that entire day to myself.

6 Q. Would it not have been possible  
7 for you to see him and communicate that  
8 message somewhere on campus at any point?

9 A. It wasn't possible.

10 Q. The following day even?

11 A. It wasn't possible.

12 Q. Why couldn't you have seen him the  
13 day of October 12th to communicate that  
14 message?

15 A. I don't -- I wanted, you know, to  
16 tell him the first opportunity that I  
17 could.

18 Q. And why was it necessary to tell  
19 him that in your apartment?

20 A. I don't think I told him that in  
21 my apartment. I believe that he brought  
22 me dinner the night before, and that we  
23 had dinner at the steak house the  
24 following day; and in the public steak



1 house is where I told him that I didn't  
2 want -- or he had to stop acting or saying  
3 these things.

4 Q. How many times was he at your  
5 apartment?

6 A. I believe twice, once or twice.

7 Q. And after meeting with Patricia  
8 Olalde the first time to report Dean  
9 Lehrer's conduct, did one of his -- strike  
10 that -- one of Dean Lehrer's apartment  
11 visits occur after that report to Patricia  
12 on October 11th? If the records indicate  
13 that that was the case, would you have any  
14 reason to dispute the records?

15 A. If the records -- I'd have to  
16 check the records. I don't know. I'd  
17 have to check my notes as far as sequence  
18 of times.

19 Q. Do you have notes that have not  
20 been produced to your attorney?

21 A. No.

22 Q. Okay. So all of your notes  
23 regarding -- strike that.

24 What notes are you referring

1 to?

2 A. The notes that I provided my  
3 attorney.

4 Q. Okay. And what is in those notes?

5 A. The sequence of events that had  
6 happened in October.

7 Q. Okay. When did you generate those  
8 notes?

9 A. Right away, after things had  
10 happened.

11 Q. You generated -- you wrote them in  
12 October 2006?

13 A. I believe shortly after that, yes.

14 Q. Are they handwritten?

15 A. No.

16 Q. Are they typed?

17 A. Yes.

18 Q. Where did you type them?

19 A. On a computer. I don't recall.  
20 At home, perhaps.

21 Q. How many pages are there?

22 A. I'm not sure.

23 Q. Do you have any reason to believe  
24 that your notes would contradict Patricia

1 Olalde's notes which indicate that you  
2 spoke to her during the day on  
3 October 11th, and then later that evening  
4 on October 11th accepted a dinner  
5 invitation from Dean Lehrer?

6 A. I would not -- I -- I agree to  
7 that.

8 Q. Okay. I'm still going back,  
9 though. So your intention in agreeing to  
10 dinner again -- strike that.

11 Did you attempt to schedule  
12 an appointment with Dean Lehrer during the  
13 day on October 12th or 13th or at any  
14 point after that to communicate to him  
15 that you did not welcome his conduct?

16 A. Dean Lehrer -- I did not attempt  
17 an appointment for a meeting that day, no.

18 Q. So he picked you up at the school,  
19 correct?

20 A. Yes.

21 Q. In a cab?

22 A. Yes.

23 Q. And you traveled together to your  
24 apartment?

1           A. Yes, I believe so. I -- I don't  
2           remember, but I believe that's what  
3           happened, yes.

4           Q. How long was the ride from school  
5           to your apartment?

6           A. 12 minutes.

7           Q. Okay. And what was said during  
8           that ride?

9           A. I don't remember.

10          Q. What happened -- the cab took you,  
11          I assume, to your apartment, correct?

12          A. Yes.

13          Q. Okay. And did both of you go into  
14          your apartment?

15          A. Yes.

16          Q. Was anyone there at the time?

17          A. No.

18          Q. Okay. What happened in your  
19          apartment?

20          A. I ate the food that he brought,  
21          and I don't remember much else.

22          Q. Do you remember anything that --  
23          strike that.

24                               Did you say anything to Dean

1       Lehrer in your apartment?

2           A.   I don't remember.

3           Q.   Did he say anything to you?

4           A.   I don't remember.  It really seems  
5   like he brought dinner the night before,  
6   and then we went to dinner the second  
7   night, is what seems to be in my memory.

8           Q.   Okay.

9           A.   You know what I'm saying?

10          Q.   So when was it -- you gave a lot  
11   of testimony.  We talked a long time about  
12   your watching T.V. and being on the couch  
13   with him and that he hugged you.  When did  
14   that happen -- that happened in your  
15   apartment, correct?

16          A.   Yes, that did happen in my  
17   apartment.

18          Q.   Okay.  So, is it your testimony  
19   now that that encounter happened after you  
20   spoke to Patricia Olalde during the day on  
21   October 11th?

22          A.   No.  That happened before, I  
23   believe --

24          Q.   Okay.

1           A.  -- I spoke to Patricia Olalde.

2           Q.  When was it -- you testified a  
3           moment ago that there were two times that  
4           Dean Lehrer was in your apartment,  
5           correct?

6           A.  Yes.

7           Q.  Okay.  What was the second  
8           occasion then?

9           A.  He had brought food in one  
10          evening, and the second evening he came up  
11          to my apartment to watch the baseball game  
12          after we had eaten at the steak house.

13          Q.  Okay.  And the time when he came  
14          to watch the game after dinner at the  
15          steak house, was that before or after your  
16          first report to Patricia?

17          A.  That's what I'm not clear about.

18          Q.  Okay.  Did you ever communicate to  
19          Dean Lehrer that his conduct was  
20          unwelcome?

21          A.  Yes.

22          Q.  When?

23          A.  I believe at dinner we -- he -- he  
24          was talking about how he had wanted to be

1 with me or something, and I said that he  
2 would have to stop because he could get us  
3 both in trouble, which is what Patricia  
4 had suggested I say to him.

5 Q. Okay. Did he respond in any way?

6 A. He did respond saying that he  
7 couldn't control himself, he couldn't help  
8 himself, and that he, you know, would  
9 continue to make advances.

10 Q. And then you went to your  
11 apartment with him?

12 A. I did not intend to go to my  
13 apartment with him.

14 Q. You got into a cab with him,  
15 correct?

16 A. He insisted that I get into the  
17 cab with him.

18 Q. Right. We already talked about  
19 that.

20 A. Yes.

21 Q. So, he told you that he couldn't  
22 control himself and that the advances  
23 would continue and you voluntarily got  
24 into a cab with him after dinner, correct?

1           A.   The advances continued.

2           Q.   Okay.  But he told you during that  
3 dinner that he could not control himself,  
4 and this was after you asked him or --  
5 strike that -- after you told him his  
6 conduct was unwelcome, correct?

7           A.   Correct.

8           Q.   He said he could not control  
9 himself, correct?

10          A.   Yes.

11          Q.   And then after dinner, you got  
12 into a cab with the man, correct?

13          A.   Yes.

14          Q.   With the understanding that he  
15 would take you in the cab to your house,  
16 correct?

17          A.   That he would drop me off at my  
18 house, yes.

19          Q.   But then you permitted him to go  
20 into your house, correct?

21          A.   Yes.

22          Q.   When you -- after your meeting  
23 with Patricia on October 11th, she  
24 e-mailed you the next day to follow up,



1 correct?

2 A. Correct.

3 Q. And she was checking in with you  
4 to find out how things were going?

5 A. Yes.

6 Q. She was aware that you were going  
7 to have dinner with Dean Lehrer that night  
8 before?

9 A. Yes.

10 Q. What did you tell Patricia about  
11 how things were going or how things went?

12 A. I just said that it didn't go  
13 well.

14 Q. Anything else?

15 A. And that he did not stop.

16 Q. Okay. Anything else?

17 A. I don't recall anything else.

18 Q. You -- do you recall talking to  
19 Jim MacDonald on October 14th telling him  
20 that Dean Lehrer had been too friendly?

21 A. Yes.

22 Q. What did you say, if anything, in  
23 addition to that?

24 A. I said that I had been not feeling

1 well due to Dean Lehrer being what I  
2 thought was, you know, friendly, and then  
3 he said, Sit down, and, you know, what's  
4 going on and tell me what happened; and I  
5 said that I had already talked with HR  
6 about it, and, you know, I was talking to  
7 them about it. And then he asked me what  
8 had happened, and I told him some things.  
9 Then he went on to tell me a story about  
10 something similar in another department,  
11 and then he suggested that I call his wife  
12 who was an attorney if I needed someone to  
13 talk to and gave me her number.

14 Q. The suggestion that you talk to  
15 his wife was his?

16 A. Yes.

17 Q. Where was this meeting that you  
18 had with Mr. MacDonald?

19 A. It was in our offices. It's in  
20 the Dean's office suite.

21 Q. And what day of the week did that  
22 take place?

23 A. It was a Saturday.

24 Q. Was anyone else in the office?

1 A. No.

2 Q. How long did your meeting last  
3 with him?

4 A. I don't know, 20 minutes maybe.

5 Q. Did he tell you -- strike that.

6 Your testimony is that he  
7 offered his wife's phone number to you,  
8 correct?

9 A. Yes.

10 Q. And did you take it?

11 A. Yes.

12 Q. Did you ever call him or call her?

13 A. Yes.

14 Q. What's her name?

15 A. I can't recall what her name is.

16 Q. When did you call her?

17 A. I think I tried her within a few  
18 days.

19 Q. And did you actually speak to her?

20 A. I finally did speak with her.

21 Q. What did you tell her?

22 MR. LEE: Objection,  
23 attorney-client privilege. Don't answer  
24 that.

1 BY MS. KAY:

2 Q. Did you retain her as your  
3 attorney?

4 A. No, I did not.

5 MR. LEE: You can answer that.

6 THE WITNESS: No.

7 BY MS. KAY:

8 Q. How many conversations did you  
9 have with her?

10 A. I believe one conversation.

11 Q. Just over the telephone?

12 A. Yes.

13 Q. Did you ever meet with her in  
14 person?

15 A. No.

16 Q. I'm sorry. I might have asked  
17 this before. How long was your  
18 conversation with Jim MacDonald on that  
19 Saturday?

20 A. I believe it was around 20  
21 minutes.

22 Q. Is it -- you told Jim MacDonald  
23 that you did not want to embarrass the  
24 Dean and did not want to move forward,

1 correct?

2 A. I told Jim MacDonald I wasn't sure  
3 what I was going to do.

4 Q. So you deny telling him that you  
5 did not want to move forward because you  
6 did not want to embarrass Dean Lehrer?

7 A. I told him I wasn't sure what I  
8 was going to do. I may have -- I don't  
9 know that I -- I don't recall that.

10 Q. Okay. Patricia Olalde told you on  
11 October 17th that Jim MacDonald had  
12 notified her of your complaint, correct?

13 A. Yes.

14 Q. Okay. And did you know Jim  
15 MacDonald was going to report what you had  
16 told him?

17 A. I was told by Jim MacDonald after  
18 he and I spoke after that meeting that he  
19 told me he was going to report it to  
20 Patricia Olalde in Human Resources.

21 Q. Okay. When did Jim tell you that?

22 A. That same day, on Saturday.

23 Q. Okay. And Patricia confirmed that  
24 Jim MacDonald had reported what you told

1 him to her?

2 A. Yes.

3 Q. And she confirmed that on  
4 October 17th, correct?

5 A. It was like Monday, yes.

6 Q. Did you meet with Patricia on  
7 October 17th or was this communication by  
8 e-mail or telephone?

9 A. I believe it was by telephone.

10 Q. Patricia told you that she would  
11 speak to Dean Lehrer that week, correct?

12 A. Correct.

13 Q. And she asked you if you would  
14 like to be out of the office when he came  
15 in for their discussion, correct?

16 A. She suggested that I not be in the  
17 office for their discussion.

18 Q. Okay. And did you accept her  
19 recommendation?

20 A. Yes.

21 Q. So you were not present in the  
22 office when Patricia met with Dean Lehrer?

23 A. Correct.

24 Q. As far as you know, Ms. Olalde did

1 speak with Dean Lehrer, correct?

2 A. Yes.

3 Q. And then she reported back to you  
4 on October 18th what their conversation  
5 had been?

6 A. She simply reported that they had  
7 investigated the information.

8 Q. What else, if anything, did she  
9 say?

10 A. I don't recall what she said.  
11 Something about they were going to inform  
12 the provost and they would let me know  
13 what was happening after that, something  
14 along that line.

15 Q. They being who?

16 A. Human Resources.

17 Q. This information that you got from  
18 Patricia Olalde on October 18th, did she  
19 communicate this to you by telephone or  
20 e-mail or in person?

21 A. I don't recall. I think it was by  
22 telephone.

23 Q. Did she also tell you that you  
24 would be permitted, if you wanted to, to

1 take time away from the office on days  
2 when Dean Lehrer was going to be in the  
3 office working?

4 A. I believe it was Stephanie Griffin  
5 that had made that suggestion.

6 Q. Okay. And you accepted that  
7 suggestion, correct?

8 A. Yes.

9 Q. Okay. So after your dinner with  
10 Dean Lehrer on October 11th, did you have  
11 any occasion -- strike that -- did you  
12 work in the office with him on any day  
13 after that?

14 A. Yes, I worked with him on the next  
15 couple days.

16 Q. Okay. So it's your testimony that  
17 you worked with him on October 12th and  
18 13th?

19 A. I believe so, yes.

20 Q. After that, were there any other  
21 days that you worked at the same time he  
22 worked?

23 A. Yes, I believe there were days.

24 Q. Okay. How many, if you recall?



1           A. I don't recall.

2           Q. When did you take your first day  
3 away from the office in order to, for lack  
4 of a better way of saying it, to be not  
5 there when he was in the office working?

6           A. Human Resources had allowed me to  
7 not be in the office when they  
8 investigated. It was the 14th, I suppose.  
9 And they may have given me the weekend  
10 off, Thursday, Friday. I'm not sure. And  
11 they were also letting me know that they  
12 were working on putting me in another  
13 office, and they hadn't, you know,  
14 resolved that, but they would get to it  
15 right away.

16                       So there were e-mails between  
17 us and phone conversations of, you know,  
18 what's happening, what's going on, I'm  
19 still here, he's still here, it's not  
20 comfortable, and by around about November  
21 4th, I called in sick. And I also before  
22 that, e-mailed them saying that if it  
23 hadn't been resolved, then I'd like to  
24 take a paid leave of absence until they

1 resolve it.

2 Q. So how many -- how many days did  
3 you work in the office with Dean Lehrer in  
4 October?

5 A. I do not know.

6 Q. Okay. And Stephanie Griffin told  
7 you you did not have to be in the office  
8 when Dean Lehrer was in the office during  
9 October, correct?

10 A. Correct.

11 Q. And was that same offer made to  
12 you for November?

13 A. She did allow for me to take time  
14 from the office in November.

15 Q. Okay. You say that you were in  
16 the office for some days when Dean Lehrer  
17 was there in October?

18 A. Yes.

19 Q. After your report of his conduct  
20 to Patricia Olalde or anyone else at HR,  
21 did you -- strike that -- did Dean Lehrer  
22 say anything to you that you found to be  
23 offensive?

24 A. I don't believe so, no.

1           Q. Did he conduct himself in any way  
2 that you found to be offensive?

3           A. We were never left alone after  
4 that. Someone had requested that we not  
5 be left alone, but I did not -- I wasn't  
6 informed of it. Someone was always in the  
7 office while we were together, listening  
8 in.

9           Q. How did -- how did you come to  
10 know that fact if you weren't informed of  
11 it?

12          A. Because there was always someone  
13 in the room each time we spoke.

14          Q. Okay. Did Dean Lehrer on any of  
15 those days that you were in the office  
16 when he was there after you made report to  
17 HR, did he say anything to you regarding  
18 your report to HR?

19          A. He did apologize and asked me to  
20 not get him fired.

21          Q. When did he say that?

22          A. Sometime before November 4th.

23          Q. Where were you when he said that?

24          A. I was in his office.

1 Q. Was anyone else there?

2 A. No one was there.

3 Q. Okay. How was it that you were  
4 alone in his office if someone was always  
5 with you?

6 A. It may have not been instructed at  
7 that point. That may have come from the  
8 Provost slightly after he was informed.  
9 He was out of the town at the time.

10 Q. What date did Dean Lehrer say this  
11 to you?

12 A. I'm not sure.

13 Q. How was it that you came to be in  
14 his office? Did he call you in?

15 A. Likely, yes.

16 Q. Okay. What did he say to get you  
17 into the office?

18 A. I don't remember.

19 Q. And when you went into his office,  
20 where was he? Was he standing or sitting?

21 A. At his desk.

22 Q. Yes. And what was said?

23 A. I don't know exactly what was  
24 said. I just remember that he had

1       apologized and just said that he didn't  
2       want to lose his job and could I forgive  
3       him, and I said I didn't want to see him  
4       fired and I could forgive him.

5           Q.   Okay.  Why didn't you want to see  
6       him fired?

7           A.   Because I think that's a terrible  
8       thing to happen to people.  Period.  But  
9       the longer that I stayed and worked in  
10      that office, you know, it would have been  
11      okay with me had he -- if one of the two  
12      of us were to be fired, of course, I would  
13      prefer it to have been him since the  
14      trouble started because of some of his  
15      actions.

16          Q.   But there was no further conduct  
17      or statement made -- conduct on his part  
18      or statement made by Dean Lehrer after  
19      your report to HR which you found to be  
20      offensive, correct?

21          A.   Correct.

22          Q.   Or in which he propositioned you  
23      in any way, correct?

24          A.   Correct.

1           Q. After -- what -- what was the last  
2           date, if you recall, that you saw Dean  
3           Lehrer in the office?

4           A. I don't remember.

5           Q. The Dean's office, I should say.

6           A. I don't remember. I know that he  
7           had scheduled a trip and was going on a  
8           trip.

9           Q. After that last day, whenever it  
10          was, did you have any further contact with  
11          him?

12          A. I don't know. I don't recall.

13          Q. Okay. Did you call him at any  
14          point after that?

15          A. I don't recall if I had.

16          Q. Did you go to see him?

17          A. I don't believe I went to see him.

18          Q. Did he call you?

19          A. I don't believe so.

20          Q. Did he come to see you?

21          A. I don't believe so.

22          Q. And then you left for medical  
23          leave in December of 2006, correct?

24          A. Yes.

1 Q. Do you remember when in December  
2 you took your leave?

3 A. Sometime in mid-December.

4 Q. That was FMLA leave, correct?

5 A. Yes.

6 Q. And then you returned from your  
7 medical leave in February of 2007,  
8 correct?

9 A. Yes.

10 Q. Aside from the statements that  
11 you've testified to that Dean Lehrer made  
12 and the conduct that you allege he  
13 exhibited, do you allege that anyone else  
14 at Columbia College Chicago subjected you  
15 to sexual harassment of any kind?

16 A. No.

17 Q. Now, in December of 2006, you were  
18 offered a transfer to the Associate  
19 Provost's office, correct?

20 A. Yes.

21 Q. And who communicated that offer to  
22 you?

23 A. Stephanie Griffin and Ann Foley.

24 Q. When was that communicated to you?

1           A.   Around mid-December.

2           Q.   Was that before you took your  
3   leave?

4           A.   Yes.

5           Q.   What did they say to you?

6           A.   They said that they had a position  
7   description where it would be a full-time  
8   position.   I would move into Ann Foley's  
9   office, and I would have an assistant.   We  
10   sat down and we talked about it.   I  
11   explained that I would be going on leave,  
12   and they said, You know, would you accept  
13   the position?   And I said, I would -- i  
14   would like to think about it, and  
15   Stephanie let me know that I could think  
16   about it, you know, until after the  
17   holidays or what have you, and that was  
18   it.   And they gave me the position  
19   description.

20          Q.   Where did you meet with them?

21          A.   I first met with Stephanie in her  
22   Human Resources office, and then we walked  
23   over to Ann Foley's office.

24          Q.   So you and Stephanie and Ann Foley



1 met together in Ann Foley's office?

2 A. Yes.

3 Q. After first meeting in Stephanie's  
4 office?

5 A. Yes.

6 Q. You eventually accepted that  
7 position, correct?

8 A. Yes.

9 Q. And -- but you accepted in January  
10 the following year, right, the next month?

11 A. Yes.

12 Q. Why -- why did you wait until  
13 January to accept?

14 A. It was the holidays, and I was  
15 working with my attorney at the time to be  
16 sure that it was something acceptable.

17 Q. And who was your attorney at the  
18 time?

19 A. Candace Gorman.

20 Q. Your pay -- strike that.

21 The position you were  
22 transferred to was Assistant to the  
23 Associate Provost, correct?

24 A. Yes.

1 Q. And your pay was the same as when  
2 you were assistant to Dean Lehrer,  
3 correct?

4 A. Yes.

5 Q. Your benefits were the same?

6 A. Yes.

7 Q. Would you agree that the position  
8 of Associate Provost is a position of  
9 greater authority than the position of --  
10 that Dean Lehrer held?

11 A. Yes.

12 Q. While working in the Associate  
13 Provost's office, you were not required to  
14 interact with Dean Lehrer, correct?

15 A. Correct.

16 Q. And, in fact, did you have any  
17 contact with Dean Lehrer while you worked  
18 in the Associate Provost's office?

19 A. I don't believe so, no.

20 Q. Your supervisor in that office was  
21 who?

22 A. Ann Foley.

23 Q. And were your hours in that office  
24 the same basically as the hours that you

1       worked for Dean Lehrer?

2           A.   Yes.

3           Q.   Were your job duties the same?

4           A.   They were lessened.

5           Q.   Okay.  You have alleged in this  
6       lawsuit that the position -- the transfer  
7       to the Associate Provost's office was a  
8       permanent transfer; is that correct?

9           A.   Yes.

10          Q.   Okay.  And on what basis do you  
11       make that allegation that it was a  
12       permanent switch?

13          A.   That was the information presented  
14       to me by Ann Foley and by Stephanie  
15       Griffin in December, and when I arrived to  
16       that position in February, Ann Foley  
17       informed me that things had changed and  
18       this was no longer a permanent position as  
19       such and that I would be not getting an  
20       assistant and I would be moved back into  
21       the Dean's office after a new dean had  
22       been found and had I anything to talk  
23       about, I should go directly to Human  
24       Resources.

1           Q.   When you testified about how the  
2   transfer was communicated to you by  
3   Stephanie and -- Stephanie Griffin and Ann  
4   Foley, you said it was a full-time  
5   position, but you did not testify that  
6   they told you it was permanent.  When did  
7   they communicate to you that it was to be  
8   a permanent position?

9           A.   Stephanie that day that she had  
10   met with me prior to Ann Foley, she said  
11   that I would not be returning to the  
12   Dean's office and not to worry about any  
13   of the work that was there and that I  
14   would be finished with the Dean's office  
15   and I would take the position here and it  
16   would be done.

17          Q.   Okay.  Do you have any  
18   documentation of that statement by  
19   Stephanie?

20          A.   I only have the job description  
21   that she gave to me.

22          Q.   And that job description does not  
23   say it was to be a permanent transfer,  
24   correct?

1           A. She said that she would call the  
2           Dean's office while I was there and that  
3           she would tell Dean Lehrer directly that I  
4           would not be returning to that office. I  
5           believe she made that phone call while I  
6           was there.

7           Q. My question, though, was whether  
8           the position description that you say she  
9           gave you, whether that document said  
10          anywhere on it that it was to be a  
11          permanent transfer to the Associate  
12          Provost's office?

13          A. I do not recall if it said that or  
14          not.

15          Q. Okay. So, you based your  
16          understanding of the permanency of the  
17          position on what you allege Stephanie  
18          Griffin told you?

19          A. Additionally, the fact that Ann  
20          Foley told me things had changed and this  
21          was no longer a permanent position. They  
22          had said things had changed from our  
23          initial discussion.

24          Q. So, those two statements, correct?

1           A.   Yes.

2           Q.   You were happy in the Dean's  
3 office, though, weren't you?

4           A.   Yes.

5           Q.   Okay.   And if Dean Lehrer was to  
6 -- was to leave, there would have been no  
7 reason for you not to want to return,  
8 correct?

9           A.   Not necessarily, no.   I mean, once  
10 I was told by Stephanie that I wouldn't be  
11 returning, I didn't expect to return.   I  
12 mean, I had lapsed an enormous amount of  
13 time of what was happening there.   So, you  
14 know, I didn't expect to return to that  
15 office to be quite honest.

16          Q.   Right.   You didn't expect it, but  
17 as you had been happy there for more than  
18 a year, can you tell me any reason why you  
19 would not have wanted to return?

20          A.   I can tell you that people would  
21 have and had asked, you know, what was I  
22 doing leaving the Dean's office, and had I  
23 moved back, it would, you know, promote  
24 other questions.   So it would have been

1       uncomfortable trying to explain what and  
2       why.

3           Q.   Any other reason?

4           A.   No.

5           Q.   Who asked you why you were leaving  
6       the Dean's office?

7           A.   Who asked me?

8           Q.   Uh-huh.

9           A.   It was -- several people in the  
10       fifth floor had asked me how I had ended  
11       up in Ann Foley's office and  
12       congratulations on my promotion or what  
13       have you.

14          Q.   Who are those several people? Can  
15       you identify any of them?

16          A.   Alicia Berg had asked.

17          Q.   Okay.

18          A.   I don't recall who else.

19          Q.   What did you tell Alicia?

20          A.   I just smiled and said, Yes, it's  
21       very nice here, and that was it.

22          Q.   The fifth floor was -- was what  
23       office? When you refer to the fifth  
24       floor, what do you mean?

1           A. The first floor has the  
2           President's office, the Provost's office,  
3           I believe, and the Finance department's  
4           office.

5           Q. Okay. So the office that you were  
6           transferred to, you said that this woman  
7           from that office, Alicia Berg, questioned  
8           -- asked you why you were leaving the  
9           Dean's office?

10          A. She didn't ask me why, but she had  
11          asked, you know, how I ended up there, and  
12          she didn't know a position was open,  
13          et cetera.

14          Q. Okay. You eventually did return  
15          back to the Dean's office, correct?

16          A. Yes.

17          Q. And that was after a new dean,  
18          Eliza Nichols, had come into the position,  
19          correct?

20          A. Yes.

21          Q. Your salary was unchanged during  
22          this period of transfer from the Associate  
23          Provost's office back to the Dean's  
24          office, correct?



1 A. Yes.

2 Q. And your benefits remained the  
3 same?

4 A. Yes.

5 Q. Okay. When you were -- who  
6 performed your -- back -- backing up to  
7 your first period of work in the Dean's  
8 office.

9 Who took on your  
10 responsibilities when you were on FMLA  
11 leave?

12 A. That would have been Allison,  
13 likely.

14 Q. Allison Ratliff?

15 A. (Indicating.)

16 Q. Is that a yes?

17 A. Yes.

18 Q. Okay. When you were -- during the  
19 days that you were not in the office in  
20 October, when you stayed away because you  
21 knew that Dean Lehrer would be there, to  
22 your knowledge, who -- who performed your  
23 job function, if anyone?

24 A. I imagine Allison Ratliff.

1           Q.   Were you happy in the Associate  
2   Provost's office?

3           A.   I didn't have a lot of assignments  
4   there.  It was awkward.  I felt, you know,  
5   pushed into that office.  I originally was  
6   offered a position into the President's  
7   office by Stephanie Griffin, of which I  
8   told her I didn't believe it would be a  
9   good idea, and then she came up with the  
10   Ann Foley position.  It was -- it was very  
11   unclear as to what I was -- how long I  
12   would be there and what was happening, but  
13   it was a fine working environment.  I had  
14   no problems working there.

15          Q.   Did you complain to anybody about  
16   the fact that you learned that you were  
17   not actually going to be permanently  
18   transferred to the Associate Provost's  
19   office?

20          A.   No, I did not.

21          Q.   Why not?

22          A.   Why not?  Because the Human  
23   Resources department had proved to me that  
24   they weren't trustworthy, and that they

1       had lied to me. So what point would it  
2       have been for me to continue?

3           Q. How were they untrustworthy?

4           A. They had told me they would have  
5       me in a permanent position, and then they  
6       did not have me in a permanent position.

7           Q. Any other way in which you allege  
8       the HR department was untrustworthy?

9           A. That would be my primary reason.

10          Q. Are there any secondary reasons?

11          A. I can't recall right now.

12          Q. Okay. Did it occur to you to  
13       complain to someone other than a person in  
14       the HR department about this plan to  
15       transfer you back to the Dean's office?

16          A. The only statement I made was to  
17       Ann Foley saying that isn't what we agreed  
18       to, and she simply said take it to HR if  
19       you have things to discuss.

20          Q. Okay. But you never did tell HR  
21       that you were displeased with the plan to  
22       transfer you back, correct?

23          A. The conversation was that I would  
24       be moved once there was a new dean,

1 according to Ann Foley, and the dean  
2 search had failed as of June, and then a  
3 week later we were informed that  
4 Ms. Nichols would be the new dean.

5 Q. Okay.

6 A. So at some point, there really was  
7 no point in making noise about nothing  
8 that was -- nothing seemed to be happening  
9 as well.

10 Q. You moved to the Associate  
11 Provost's office in -- was it  
12 February 2007?

13 A. It was February, yes, 2007.

14 Q. How soon after you arrived was it  
15 that Ann Foley told you that the job was  
16 going to be temporary?

17 A. Immediately, the very first day.

18 Q. And so you're saying, though, that  
19 in June it -- it looked like the dean  
20 search was unsuccessful, and so there was  
21 no point in complaining, but why didn't  
22 you complain from February to June to  
23 anyone?

24 A. For the same reason I just

1 testified, that HR had already told me  
2 this would be a permanent position;  
3 wherein once I arrived to the position, it  
4 wasn't. So, it didn't seem as though  
5 things were being held on their end. So,  
6 if I were to complain, it wasn't getting  
7 me anywhere.

8 Q. And you -- it did not occur to you  
9 to complain to anybody else besides HR?

10 A. I had no reason to think to  
11 complain to anyone else other than HR.

12 Q. You were unhappy with the  
13 decision, correct?

14 A. Yes.

15 Q. And in the past, you had not  
16 hesitated to assert yourself in seeking  
17 pay raises, correct?

18 A. Excuse me?

19 Q. And in the past, you had not  
20 hesitated to assert yourself in seeking  
21 pay raises, correct?

22 A. With Human Resources.

23 Q. Okay. Nor had you hesitated to  
24 seek title changes, correct?

1           A. At this time, I had acquired an  
2 attorney, and I was allowing my attorney  
3 to facilitate what was happening.

4           Q. Okay.

5           A. So, you know.

6           Q. But you just said that the reason  
7 you didn't complain to HR was because HR  
8 was untrustworthy?

9           A. Yes, they were untrustworthy.

10          Q. And my question was whether it  
11 occurred to you to complain or raise this  
12 issue with anyone outside of HR, in the  
13 college administration?

14          A. I was working for the college  
15 administration, though, with Ann Foley  
16 and --

17          Q. So why didn't you complain to  
18 anyone besides -- why didn't you complain  
19 to anyone?

20          A. I don't understand who I would  
21 have complained to.

22          Q. Okay. Did Ann Foley ever tell you  
23 that she knew anything about the  
24 circumstances of your transfer; in other

1 words, why you were not working in the  
2 Dean's office anymore?

3 A. She did not tell me that.

4 Q. Do you have any reason to believe  
5 that she had any knowledge regarding the  
6 circumstances of your departure from the  
7 Dean's office?

8 A. I believe that -- I was told  
9 either from Human Resources or Steve  
10 Kapelke that she was aware of the  
11 circumstances.

12 Q. What did Human Resources tell you?

13 A. One of the -- either Human  
14 Resources or Steven Kapelke did let me  
15 know that Ann Foley was aware of the  
16 circumstances.

17 Q. When did they tell you that?

18 A. I don't recall.

19 Q. If it were Human Resources, who --  
20 who was it who conveyed this to you?

21 A. I believe it would have been  
22 Stephanie Griffin.

23 Q. Were you told anything any more  
24 specific than that she was aware of

1 circumstances?

2 A. I don't believe so.

3 Q. Who attended -- strike that.

4 You attended a mediation at  
5 the EEOC, correct?

6 A. Yes.

7 Q. And who was there on behalf of  
8 Columbia College?

9 A. Annice Kelly. Annice Kelly is a  
10 legal person. Susan someone, I forget her  
11 name. I don't recall who else was there.

12 Q. Was Stephanie Griffin there?

13 A. I believe she was, yes.

14 Q. And was there a discussion about a  
15 transfer to the Associate Provost's office  
16 during that meeting?

17 MR. LEE: Hold on. I'm sorry.

18 Objection. Parties to the EEOC mediation  
19 signed papers saying that it was  
20 confidential. So don't answer that.

21 BY MS. KAY:

22 Q. Are you following your attorney's  
23 advice and not answering the question?

24 A. Yes.



1           Q. Did you -- you agreed to the  
2 transfer to the Associate Provost's  
3 office, correct?

4           A. My attorney had accepted the  
5 position in the Provost's office.

6           Q. With your authority, correct?

7           A. Yes.

8           Q. Okay. And that agreement was made  
9 after the mediation, correct?

10          A. That agreement was made at the  
11 mediation.

12          Q. Your decision to accept the  
13 transfer to the Associate Provost's office  
14 was made at the mediation?

15          A. Yes.

16          Q. Okay. Did you communicate it  
17 then?

18          A. Excuse me?

19          Q. Did you communicate that decision  
20 at that time?

21          A. My attorney communicated it.

22          Q. On your behalf?

23          A. Yes.

24          Q. Did you tell Ann Foley you were

1 moving from the Dean's office?

2 A. I do not believe so.

3 Q. And then in August of 2007, you  
4 returned to the Dean's office as Assistant  
5 to the Dean, correct?

6 A. Yes.

7 Q. And Dean Lehrer was no longer  
8 there at that point?

9 A. Yes.

10 Q. A new dean was in place, correct?

11 A. Yes.

12 Q. And that's Dean Eliza Nichols,  
13 correct?

14 A. Yes.

15 Q. Dean Nichols was new to the  
16 college -- to Columbia College Chicago,  
17 correct?

18 A. Yes.

19 Q. Okay. She had never held a  
20 position in the college before coming to  
21 take the Dean's position, correct?

22 A. I don't recall that she had, no.

23 Q. In your complaint, you allege that  
24 you suffered retaliation while employed at

1 Columbia College, correct?

2 A. Yes.

3 Q. Okay. One of the items that you  
4 allege is that you were denied your own  
5 computer, correct?

6 A. I was denied the computer that I  
7 was working with as the Assistant to the  
8 Dean in the Dean's office.

9 Q. Why don't you explain what  
10 happened?

11 A. Allison had been working in that  
12 office, and I did not -- when I was  
13 transferring, I was asking if I would have  
14 a computer from the finance office brought  
15 up or would I be using Allison's computer.

16 Q. Okay.

17 A. And no one had an answer and  
18 then --

19 Q. Who did you ask this question?

20 A. I asked Allison, and I also asked  
21 -- I think it was Andre Foise (phonetic).

22 Q. Okay. Who is Andre Foise?

23 A. He is an assistant to Ann Foley.

24 Q. Okay. And what were you told?

1           A. Andre said that I would not be  
2           taking a computer from their office. That  
3           I should order another computer.

4           Q. What had happened to the computer  
5           that you used when working for Dean  
6           Lehrer?

7           A. I -- the computer that I had with  
8           Dean Lehrer was the computer that Allison  
9           was using.

10          Q. Because she stepped in after you  
11          left the Dean's office to be Assistant to  
12          the Dean, correct? She assumed your  
13          duties?

14          A. I assume so. I don't actually  
15          know.

16          Q. Okay. So when you returned to the  
17          Dean's office, it's your testimony that  
18          you were unable to use that computer,  
19          again, because Allison was using it?

20          A. I was able to use her computer  
21          only for when she went to lunch.

22          Q. Okay. And when she was not at  
23          lunch, what computer did you use?

24          A. There was an old computer in the

1 office that I was allowed to use.

2 Q. Okay. Did you have any problems  
3 with that computer?

4 A. Yes.

5 Q. What types of problems did you  
6 have?

7 A. Networking problems in that it was  
8 slow. I would have to log in and out to  
9 access calendars.

10 Q. Did you complain to anyone that  
11 you were having trouble with that  
12 computer?

13 A. Yes.

14 Q. Who did you complain to?

15 A. I complained to, I believe,  
16 Allison, and I don't recall if I had let  
17 Dean Nichols know or not.

18 Q. What did you say to Allison?

19 A. Well, she had asked if the  
20 computer -- if I was getting another  
21 computer, and I said that Andrew or Andre  
22 was not allowing me to take a computer.  
23 That I would have to order another  
24 computer. So she'd been in the process of

1       ordering another computer for me, and I  
2       was waiting on it.

3           Q.   Allison ordered another computer  
4       for you?

5           A.   Allison had suggested that -- she  
6       had ordered, yes, a PC computer.

7           Q.   Okay. Did that computer arrive?

8           A.   We discussed getting a MacIntosh  
9       computer as well, and she said that the PC  
10      computer then could be used for the  
11      assistant dean's position that was to come  
12      on and that she didn't see a problem if I  
13      were to get a MacIntosh computer. And she  
14      told me to go ahead and order a MacIntosh  
15      computer, I believe. I believe I ordered  
16      the MacIntosh. She ordered the PC.

17          Q.   Did both the MacIntosh and the PC  
18      arrive in the Dean's office?

19          A.   The MacIntosh arrived. I don't  
20      know about the PC. I don't know if it was  
21      put on hold until later, is what I believe  
22      happened.

23          Q.   Were you given the MacIntosh to  
24      use when it arrived?

1 A. Yes.

2 Q. So how long was it after your  
3 arrival at the Dean's office in which --  
4 how long was it before the Mac arrived for  
5 -- for your use?

6 A. Maybe three weeks.

7 Q. Okay. And during that three  
8 weeks, you had access to another computer  
9 in the office, correct?

10 A. Yes.

11 Q. Okay. That was operational,  
12 correct?

13 A. Yes.

14 Q. And when you complained about  
15 problems you were having with it to  
16 Allison, she ordered a new computer for  
17 you, correct?

18 A. No. We -- she had canceled the  
19 order for the PC, and we just waited for  
20 the second computer. There wasn't much we  
21 could do. We were in a holding pattern.

22 Q. But a new computer was on its way  
23 at the time that you complained to her,  
24 correct?

1           A.   Correct.

2           Q.   Was the Mac that you used the  
3   computer -- strike that.

4                   When the Mac arrived, that  
5   became your computer?

6           A.   Yes.

7           Q.   And was that the computer you  
8   continued to use until you left the Dean's  
9   office in October 2007?

10          A.   Yes.

11          Q.   When you left the Dean's office,  
12   Allison Ratliff, I think you said you  
13   assumed -- it's your understanding that  
14   she took the position of Acting Assistant  
15   to the Dean, correct?

16          A.   Yes.

17          Q.   And when you returned to the  
18   Dean's office, you resumed that position,  
19   correct?

20          A.   I was told I was the Assistant to  
21   the Dean.

22          Q.   Okay.   Who told you that?

23          A.   It was on the paperwork.

24          Q.   So your title was Assistant to the



1 Dean, correct?

2 A. I believe so, yes.

3 Q. And you assisted the dean,  
4 correct?

5 A. Yes.

6 Q. Okay. You allege in this lawsuit  
7 that your office space was taken away and  
8 that that was in retaliation. Why don't  
9 you explain the circumstances of that  
10 allegation?

11 A. The Assistant to the Dean had sat  
12 in the office Allison was sitting in.  
13 Once I had left that position, she had  
14 moved into that office, and when I  
15 arrived, I was not given that office nor  
16 the computer that the Assistant to the  
17 Dean had historically used and was moved  
18 across the hall to another office. And  
19 then shortly after, I was moved back  
20 into the reception area office and given  
21 the desk of Dean Lehrer to work on. And I  
22 had --

23 Ms. Nichols and Mr. MacDonald  
24 and Allison and I went to a lunch meeting,

1 and we had talked about the office space  
2 and who thought -- Eliza had asked who  
3 thinks they should be in, you know, which  
4 office or where would you like to be, and  
5 I said I would like to be back in my  
6 office, and Mr. MacDonald and Allison said  
7 nothing, and that was the end of the  
8 conversation.

9 Q. Did Dean Nichols say anything in  
10 response to your response to her question?

11 A. I don't believe so.

12 Q. You testified that historically  
13 this office of Assistant to the Dean had  
14 been across the hall, I think. Is that  
15 your testimony?

16 A. It was in the office that I had  
17 left.

18 Q. Okay.

19 A. And that Allison was currently in.

20 Q. So that was the office that you as  
21 Assistant to the Dean occupied when Dean  
22 Lehrer was dean of -- of that school,  
23 correct?

24 A. Yes.

1           Q.   Okay.   And so do you have any  
2   information regarding whether any other  
3   assistants to the dean had occupied that  
4   office before you?

5           A.   Deanna Evans had occupied that  
6   office.

7           Q.   And Dean Lehrer was dean at that  
8   time?

9           A.   Yes.

10          Q.   Anyone else?

11          A.   I do not know.

12          Q.   Okay.   To get -- to get from Dean  
13   Nichols' office to where you had  
14   previously sat as Assistant to the Dean,  
15   how many doorways do you have to walk  
16   through to get from one office -- from her  
17   office to yours?

18          A.   Two doorways.

19          Q.   Okay.   And isn't it true that  
20   during the meeting that you just testified  
21   about that Dean Nichols said that it was  
22   not your office because no one actually  
23   owned office space in the Dean's office?

24          A.   She may have said that.

1           Q.   Okay.  It was her decision to  
2   place you -- strike that.

3                       Were you eventually placed  
4   outside of Dean Nichols' office?

5           A.  I was initially placed outside of  
6   Dean Nichols' office.

7           Q.  Okay.  And is that where you  
8   worked until the time you left the Dean's  
9   office in October 2007?

10          A.  No.  I was initially placed  
11   outside of the Dean's -- the Dean's office  
12   suite, across the hall initially, and then  
13   I was brought into the reception area --

14          Q.  Okay.

15          A.  -- outside of Dean Nichols' door.

16          Q.  Okay.  And is that where you  
17   remained until you left in October 2007?

18          A.  Yes.

19          Q.  And it was Dean Nichols' decision  
20   to move you where you -- where you were  
21   moved, correct?

22          A.  There was discussion, yes, that  
23   she was interested in moving spaces  
24   around, and she hadn't decided what she

1       was going to do. She had thought that the  
2       Assistant to the Dean may end up in the  
3       office that Allison was in.

4           Q. I'm sorry. Can you say that  
5       again?

6           A. There was a position coming on,  
7       and that new position would perhaps take  
8       over the office that Allison had been  
9       working out of.

10          Q. Okay. And that new position was  
11       Assistant Dean, correct?

12          A. Yes.

13          Q. So you were not the only person  
14       who was being moved around that time,  
15       correct?

16          A. At that time, no one else was  
17       moved except for myself.

18          Q. Okay. And you chose to occupy --  
19       when you returned to the Dean's office, it  
20       was your choice to occupy the office  
21       across the hall, correct?

22          A. I don't recall.

23          Q. Did you -- were you told by anyone  
24       to go to that office and work there?

1           A. I don't recall.

2           Q. Okay. What's the basis for your  
3 allegation that this move in your working  
4 location was in retaliation for anything  
5 that you had done?

6           A. The move was not permanent, as it  
7 had been stated it would be. I was not  
8 allowed to use the computer that the  
9 information from the Assistant to the Dean  
10 held, although I was the new Assistant to  
11 the Dean or the returning Assistant to the  
12 Dean. I was placed in an office area that  
13 was a reception area. That was an area  
14 that was quite loud and had a lot of  
15 reception. My assistants were removed  
16 from me, Allison and another assistant. I  
17 was told that our responsibilities would  
18 be updated, and we would be apprised of  
19 that, and we had not been. Things were  
20 very vague and not very clear as to my  
21 duties, and shortly thereafter, I had put  
22 in for a medical leave. It was approved,  
23 and before I was going to leave, I was  
24 terminated because I couldn't be trusted.

1 Q. All right. Let's back up a bit.  
2 My question was actually about -- when I  
3 said location, maybe it's my fault for not  
4 being clear enough in my question.

5 You're alleging that one of  
6 the things that happened to you that was  
7 retaliatory was moving from the office  
8 that you occupied as Assistant to the Dean  
9 and being moved into the reception area,  
10 correct? You're claiming that that was --  
11 that change was made in retaliation  
12 against you, correct?

13 A. There were other things such as  
14 position responsibilities, reports, in  
15 addition to the location of where I was  
16 sitting, in addition to the fact that I  
17 was sitting at Dean Lehrer's desk, which I  
18 clearly stated I did not care to sit at.

19 Q. Okay.

20 A. That I felt was retaliatory.

21 Q. You identify in your complaint  
22 that, Defendant denied Ms. Lewandowski her  
23 own computer, which she needed to do her  
24 work, took Ms. Lewandowski's former office

1 space away. And I'm asking you whether  
2 your allegation is that the taking away of  
3 your former office space -- and I'm  
4 reading from Paragraph 23 of your First  
5 Amended Complaint -- was that change taken  
6 in retaliation against you?

7 A. I'm saying that the computer to  
8 allow me to do my job, which was Assistant  
9 to the Dean, was not allowed -- given to  
10 me, and it was also in the office that I  
11 resided in. So, I was not given the same  
12 duties and responsibilities upon my return  
13 as Assistant to the Dean.

14 Q. I'm still asking, though, about  
15 the change in your office space. That's  
16 listed in your complaint as an element of  
17 retaliation against you, and I'm asking  
18 you what is the basis for your claim that  
19 that switch in your office was  
20 retaliatory? Why do you believe that was  
21 retaliatory?

22 A. For one, I was given a desk that  
23 belonged to Leonard Lehrer, which I didn't  
24 want to sit at, which I had to sit at



1       because I was no longer in my previous  
2       office.

3           Q.   That still doesn't answer my  
4       question.  Who made the decision to -- to  
5       put you at that desk?

6           A.   Ms. Nichols.

7           Q.   And is it your allegation that  
8       Dean Nichols was doing that in retaliation  
9       against you for something you had done?

10          A.   I can't comment on what Dean  
11       Nichols was doing.

12          Q.   Okay.  So it would be speculation  
13       for you to assume that she moved you to  
14       another office space in retaliation,  
15       correct?

16               MR. LEE:  Object to the form of  
17       the question.  Calls for speculation.

18               MS. KAY:  No, I'm asking.

19       BY MS. KAY:

20          Q.   Go ahead.  You can answer the  
21       question.

22          A.   I felt that not being in that same  
23       space was retaliation, yes.

24               MS. KAY:  Would you go back to the

1 last question and answer?

2 (Record read as requested.)

3 (Whereupon a short recess

4 was had.)

5 BY MS. KAY:

6 Q. Did you ever tell Dean Nichols  
7 that you had made a complaint against Dean  
8 Lehrer for being too friendly?

9 A. No.

10 Q. Okay. Are you aware of anyone  
11 else informing Dean Nichols that you had  
12 made that report to the Human Resources  
13 department?

14 A. I do not know of anything like  
15 that.

16 Q. Okay. Do you know anything --  
17 strike that.

18 What was her knowledge as far  
19 as you know regarding the circumstances of  
20 your transfer from the Associate Provost's  
21 office?

22 A. I do not know what her knowledge  
23 was.

24 Q. Okay. Now, in September of --

1 strike that. Let me back up just for a  
2 minute.

3 You had testified that --  
4 that you did not want to sit at Dean  
5 Lehrer's old desk, correct?

6 A. Yes.

7 Q. Did you tell anyone that you did  
8 not want to sit at his desk?

9 A. Yes.

10 Q. Who did you tell?

11 A. I let Dean Nichols know.

12 Q. When -- how did you let her know?

13 A. We were moving desks around, and I  
14 was asked did I want to use this desk, and  
15 I said, No, I didn't. I didn't get into  
16 reasons as to why I did not. I just --  
17 that I did not.

18 Q. So, you did not tell her that the  
19 reason you didn't want to sit at that desk  
20 was because it had been Dean Lehrer's; is  
21 that correct?

22 A. Correct.

23 Q. Did you tell anyone else the  
24 reason why you did not want to sit at that

1 desk?

2 A. I don't recall that.

3 Q. In September 2007, while working  
4 for Dean Nichols, she asked you to format  
5 a memo to the chairs regarding their  
6 third-year evaluation, correct?

7 A. Correct.

8 Q. And she asked you to follow the  
9 format that other deans had used, correct?

10 A. Correct.

11 Q. And instead of following that  
12 format, you used a format that Dean Lehrer  
13 had used, correct?

14 A. Correct.

15 Q. This was something that Dean  
16 Nichols was not happy about, correct?

17 A. I'm not sure if Dean Nichols  
18 understood that there were timelines that  
19 we used in the School of Fine and  
20 Performing Arts, and I was trying to  
21 explain that to her, and she just had  
22 asked me to do it as the other deans had  
23 done it, so.

24 Q. Did it appear to you in your

1 discussion with Dean Nichols regarding  
2 this instruction that she was displeased  
3 with what you had done?

4 A. I don't recall.

5 Q. Okay. She asked you to follow one  
6 format, and you did not follow those  
7 instructions, correct?

8 A. I provided the format we typically  
9 used and also was going to provide the  
10 format she wanted me to use, showing her  
11 that we had two formats.

12 Q. But her instruction to you was to  
13 use the format she gave you, correct?

14 A. Yes.

15 Q. Okay. In September of 2007, Dean  
16 Nichols also told you that she was to  
17 communicate with the chairs directly and  
18 that she did not want you communicating  
19 directly with them unless she asked you  
20 specifically to do that, correct?

21 A. Yes.

22 Q. She wanted communications to be  
23 directly between her and the chairs unless  
24 you were instructed otherwise, correct?

1 A. Correct.

2 Q. In fact, she told you this on more  
3 than one occasion, correct?

4 A. I don't recall.

5 Q. You did contact them, however, the  
6 chairs, regarding budgeting for new  
7 faculty lines, correct?

8 A. I don't recall.

9 Q. And you told her that the chairs  
10 had initiated that contact; did you not?

11 A. I do not recall.

12 Q. Do you recall anything about Dean  
13 Nichols' response to you when she found  
14 out that you had contacted the chairs or  
15 initiated contact with the chairs on your  
16 own?

17 A. I do not recall.

18 Q. Are you aware that she spoke  
19 personally to the chairs and found out  
20 that you had initiated those  
21 communications?

22 A. I do not remember.

23 Q. Are you also aware that your  
24 communications with the chair resulted in

1 incorrect information being provided to  
2 the chairs regarding faculty lines?

3 A. I do not recall that.

4 Q. In October 2007, on October 10th  
5 in particular, you told Dean Nichols that  
6 her expectations of you were unclear,  
7 correct?

8 A. Yes.

9 Q. And you told her that she was not  
10 meeting with you enough?

11 A. That she was not keeping with the  
12 meetings that she had requested that we  
13 keep.

14 Q. Okay. And you advised her or you  
15 told her that you would not do any work  
16 without direct instruction from her; is  
17 that true?

18 A. Correct.

19 Q. In fact, at that time, you had  
20 actually met with Dean Nichols several  
21 times each week to discuss your job  
22 functions, correct?

23 A. I disagree, no.

24 Q. Okay. On what basis do you

1 disagree?

2 A. We did not meet several times a  
3 week to discuss my job responsibilities.

4 Q. How many times a week did you meet  
5 in September and October 2007?

6 A. We did not meet more than maybe  
7 one time to say that I no longer had  
8 assistants and that I would be keeping  
9 track of her calendar and that she would  
10 get back to Allison or myself and Jim  
11 about our new responsibilities. So she  
12 had not gotten back to us so much so that  
13 Allison had made a comment to me about she  
14 wondered if and when that had happened  
15 because she was unclear as well.

16 Q. So it's your testimony that you --  
17 how many times did you meet with Dean  
18 Nichols in September and October?

19 A. I can't recall that. I don't  
20 recall.

21 Q. Okay. Did you meet with Dean  
22 Nichols regarding day-to-day  
23 responsibilities and assignments?

24 A. Day-to-day responsibilities and



1 assignments?

2 Q. Uh-huh.

3 A. Each day is what you're asking me,  
4 my assignments?

5 Q. No. Let's put it this way. Did  
6 she communicate with you regarding what  
7 your assignments were to be?

8 A. Ms. Nichols asked me to keep her  
9 calendar.

10 Q. Anything else that she instructed  
11 you to do?

12 A. She let me know that we were going  
13 to work on a syllabus project and that I  
14 should speak with Allison about the  
15 syllabus project and to carry out that  
16 project.

17 Q. How did you learn from Dean  
18 Nichols that you were to keep her  
19 calendar? Did she tell you that face to  
20 face?

21 A. Yes, she did.

22 Q. Okay. And how did you learn from  
23 Dean Nichols that you would be working on  
24 a syllabus? Did she tell you that in a

1 face-to-face meeting?

2 A. Yes.

3 Q. Did she give you instruction each  
4 week with regard to what was to be put on  
5 the calendar, for example?

6 A. She had made requests to schedule  
7 certain meetings, yes.

8 Q. And she communicated that to you,  
9 correct?

10 A. Yes.

11 Q. Did she communicate that in a  
12 face-to-face conversation?

13 A. Yes.

14 Q. Besides keeping the calendar, what  
15 other responsibilities did you have as  
16 assistant to Dean Nichols?

17 A. To take messages. That was my  
18 primary responsibility.

19 Q. How did you know you were supposed  
20 to take messages?

21 A. If someone would call and ask for  
22 Dean Nichols, I would just take messages  
23 and give them to Dean Nichols.

24 Q. Okay. And how did you give them

1 to Dean Nichols?

2 A. Handwritten, usually.

3 Q. Did you hand her the piece of  
4 paper that you wrote your message on?

5 A. I did not always hand them to her.  
6 I did not see her always.

7 Q. Did you sometimes hand them to her  
8 in person?

9 A. If she passed my desk on her way  
10 to her office, I would hand them to her.

11 Q. And on occasions when you gave  
12 them to her personally, did she ever give  
13 you any instruction with regard to those  
14 messages? Next steps?

15 A. Not generally, no.

16 Q. For the occasions when you took  
17 messages and you did not give them to her  
18 personally, face-to-face, how did you get  
19 them to her?

20 A. I don't recall. I would imagine I  
21 would e-mail them to her.

22 Q. Aside from taking messages and  
23 what you've already testified to, is there  
24 any other job function you performed as

1 assistant to Dean Nichols?

2 A. If there were random requests, she  
3 would give me an assignment. I don't  
4 recall what they were, but --

5 Q. And did she give those assignments  
6 to you in a face-to-face instruction?

7 A. Not always. Sometimes over the  
8 phone.

9 Q. But sometimes face-to-face  
10 instruction?

11 A. Sometimes.

12 Q. Okay. Isn't it true that Dean  
13 Nichols relied on you to keep her on  
14 schedule with regard to the meetings she  
15 had throughout the day?

16 A. Dean Nichols often changed her  
17 schedule without informing me that her  
18 schedule had changed. I don't believe  
19 that I was the person to end meetings. I  
20 would let her know when she would go over,  
21 and she would say thank you and she'd ask  
22 me to exit, and I would enter again, let  
23 her know when -- she was well aware of her  
24 time frames.

1           Q.   How do you know she was aware of  
2   -- well aware of her time frames?

3           A.   She would say thank you, we're  
4   almost done, we're just finishing up, or  
5   whatever her comments were.

6           Q.   Did you come into meetings to give  
7   her a ten-minute warning when it was time  
8   to wrap things up because another  
9   appointment was waiting?

10          A.   Yes, I did on occasion.   Yes.

11          Q.   Okay.   On how many occasions did  
12   you do that?

13          A.   I don't recall.

14          Q.   Would you say that was part of  
15   your job?

16          A.   Yes.

17          Q.   That was part of what she expected  
18   you to do?

19          A.   I'd only worked with Dean Nichols  
20   for a few weeks, you know.   So it wasn't  
21   completely understood what her working  
22   format was, and she traveled a bit as  
23   well.   So we weren't always in the office  
24   together, but she would say, Please give

1 me a 10-minute warning before this meeting  
2 ends so I can prepare for my next meeting.  
3 And when she would make a request, I would  
4 follow through.

5 Q. And you sat in front of her  
6 office, correct?

7 A. Yes.

8 Q. So you were aware -- strike that.

9 When she had visitors who  
10 were waiting for a meeting with her, where  
11 did they generally sit?

12 A. They sat in the same area.

13 Q. So you could see them when they  
14 came into the office, correct?

15 A. Yes.

16 Q. Did they check in when they walked  
17 into the Dean's suite? Did they check in  
18 with you to tell you that they were there  
19 and waiting for a meeting with Dean  
20 Nichols?

21 A. They would often just speak to  
22 Abbie, who was our -- used to be  
23 receptionist. That's the way it was done.  
24 I don't know that everyone checked in with

1 me.

2 Q. If someone came into the office  
3 for a meeting with Dean Nichols, how did  
4 you know that they were there?

5 A. You mean -- I would hear them  
6 speak.

7 Q. Okay. So, when they walked in,  
8 you were close enough to hear them speak  
9 to the receptionist?

10 A. Yes.

11 Q. And if Dean Nichols had someone in  
12 her office or it wasn't yet time for her  
13 to meet with that person, did you tell the  
14 person who was coming in where to go or  
15 what to do?

16 A. If she wasn't ready, you know, I  
17 would just let them know she would be with  
18 them in a few minutes.

19 Q. How did Dean Nichols know when  
20 these people arrived? Were you the one  
21 who notified her that she had a person  
22 waiting?

23 A. I wasn't always the person.  
24 Sometimes Abbie would do that.

1           Q. Were you often the person who did  
2           that function?

3           A. It depended on who saw the person  
4           coming in.

5           Q. Would it be fair to say that when  
6           you performed that function, you would  
7           notify her when someone was coming in more  
8           than once a week during the months you  
9           worked for her?

10          A. If she would be speaking to  
11          another person and I would knock and  
12          interrupt and say, There's another -- your  
13          next meeting is here. She would say,  
14          Okay, thank you, and I'll be a few  
15          minutes, or what have you.

16          Q. And did you do that more than once  
17          a week for Dean Nichols when you worked in  
18          the Dean's office?

19          A. Yes, I would do that more than  
20          once a week.

21          Q. Would it -- strike that.

22                        You told Dean Nichols that  
23          you were interested in applying -- that  
24          you intended to apply for the assistant



1 dean's position, correct?

2 A. I'm not sure how the conversation  
3 went, but yes, we did discuss the  
4 assistant dean's position.

5 Q. Did you tell her that that was a  
6 position that you intended to apply for?

7 A. I did intend to apply for that  
8 position.

9 Q. I'm sorry?

10 A. I did intend to apply for that  
11 position.

12 Q. Are you saying you did intend?

13 A. I did intend on applying for that  
14 position. I don't know if I had initiated  
15 the conversation about applying for that  
16 position.

17 Q. Okay. Whether you initiated it or  
18 not, though, did you communicate at any  
19 point in any way to Dean Nichols that it  
20 was your intention to apply for the  
21 assistant dean's position?

22 A. Yes.

23 Q. When did you tell her that or when  
24 did she learn that from you?

1           A.   Upon our first meeting. I believe  
2           it was our first or second meeting, early  
3           in July or maybe August. I'm not sure.

4           Q.   Okay. And she had told you that  
5           you were to have no involvement in the  
6           search for the assistant dean because you  
7           intended to apply, correct?

8           A.   I don't recall.

9           Q.   In October of 2007, you told Dean  
10          Nichols that you had been ordered to make  
11          arrangements for the new assistant dean,  
12          to set up that office, the new assistant  
13          dean's office, correct?

14          A.   It was something about a computer,  
15          to order a computer for the assistant to  
16          the dean.

17          Q.   And you told Dean Nichols that you  
18          had been instructed to set up that  
19          computer or get it ready for the new  
20          assistant dean, correct?

21          A.   Just to order the computer.  
22          Allison and I spoke about ordering  
23          computers, and I had asked if she had  
24          ordered it or if I'm going to order it or

1       what's happening. I believe that she said  
2       for me to go ahead and order it.

3           Q. Okay. And you conveyed that to  
4       Dean Nichols, correct?

5           A. Something came up where it was  
6       questioned, yes.

7           Q. Dean Nichols questioned what you  
8       had told her, correct?

9           A. Yeah. I don't recall what  
10      happened. Yes.

11          Q. Because you then later told Dean  
12      Nichols that you had not been told to set  
13      up the computer, but that another staff  
14      member had implied that it would be your  
15      responsibility, correct?

16          A. Again, Allison and I had discussed  
17      that I would order that computer, and I  
18      checked with Allison to see if it had been  
19      ordered. And I believe Allison told me  
20      she did not know; where, in fact, I  
21      believe that she had ordered it or  
22      something, and I had asked Eliza had it  
23      been ordered or what was happening with  
24      it, and Eliza seem offended that I had

1 even inquired about preparing that office  
2 and that position.

3 Q. In fact, she was displeased  
4 because she had instructed you not to have  
5 anything to do with the search for  
6 assistant dean, correct?

7 A. Yes.

8 Q. And she had also instructed you  
9 not to be involved in the making of  
10 arrangements for the new assistant dean's  
11 office, correct?

12 A. I do not recall that specific  
13 request.

14 Q. Okay.

15 A. I was informed that I would not be  
16 getting the position and that she was  
17 going to go with an outside person.

18 Q. You initially told her that a  
19 staff member had instructed you to set up  
20 the computer for the new assistant dean,  
21 correct?

22 A. To order the computer, I believe  
23 is how it went. I had asked if it had  
24 been ordered, and they said I didn't know,

1 and then I went and asked if it had been  
2 requested.

3 Q. My question was whether you told  
4 Dean Nichols that you had been instructed  
5 to set up the computer for the new  
6 assistant dean?

7 A. The -- the discussion early on  
8 with Allison was that I would order that  
9 computer awhile ago, prior to this. So I  
10 had asked had it been ordered.

11 Q. Asked who?

12 A. I asked Allison, and Allison said  
13 she had not known. And so I had asked  
14 Eliza Nichols so that that office would be  
15 prepared and ready to go. I was simply  
16 trying to make sure that things were done.

17 Q. In fact, though -- I still don't  
18 have an answer to my question -- you told  
19 Dean Nichols that you had been instructed  
20 to set up that computer, correct?

21 A. Well, Allison and I had discussed  
22 that I would order the computer. It was,  
23 are you going to do it or am I going to do  
24 it? You do it. I don't know that that's

1 an instruction.

2 Q. You told Dean Nichols, however,  
3 that you had been instructed by Allison to  
4 order the computer -- to set it up,  
5 rather, correct?

6 A. Not to set it up. To be sure that  
7 it was ordered. I asked if it was  
8 ordered. It had been set up.

9 MS. KAY: Would you read back my  
10 question?

11 (Record read as requested.)

12 THE WITNESS: I don't recall what  
13 happened.

14 BY MS. KAY:

15 Q. And you later told Dean Nichols  
16 that, in fact, you had not been instructed  
17 by the staff member, but the staff member,  
18 Allison, had implied that you should set  
19 up the computer, correct?

20 A. I don't recall.

21 Q. Do you recall Dean Nichols'  
22 response when you gave her this  
23 contradicting information?

24 MR. LEE: Object to the form of

1 the question. There's no -- assumes facts  
2 not in evidence.

3 BY MS. KAY:

4 Q. Go ahead.

5 MR. LEE: Go ahead.

6 BY MS. KAY:

7 Q. Go ahead. You can answer.

8 A. I don't recall.

9 Q. On October 15th, 2007, Dean  
10 Nichols asked you to make sure that  
11 Allison and Abbie knew what work had to be  
12 done in your absence before you left for  
13 knee surgery, correct?

14 A. Yes.

15 Q. And Abbie is Abbie who? What's  
16 Abbie's last name?

17 A. Kelley.

18 Q. Okay. And what was Abbie's  
19 position in the office?

20 A. I don't recall at that time what  
21 her position was.

22 Q. So, she had told you to meet with  
23 Allison and Abbie, correct?

24 A. Correct.

1           Q. And you told Dean Nichols that you  
2           tried to meet with them, but that you  
3           could not, correct?

4           A. I had asked Allison what would be  
5           a good time to meet with her, and she said  
6           later, after lunch, and so then right  
7           after they returned from lunch -- they  
8           took lunch an hour after I did -- that we  
9           would meet. And Dean Nichols came in  
10          shortly thereafter, and just prior to Dean  
11          Nichols' return, Jim MacDonald had stepped  
12          into Allison's office. And Eliza had  
13          asked me did I meet with Allison and  
14          Abbie, and I said, No, not yet, Jim just  
15          stepped into the office.

16          Q. You told Dean Nichols that Jim  
17          had, Jim MacDonald, had called Allison  
18          away and that that's why you were unable  
19          to meet, correct? If you remember.

20          A. I may have said that without  
21          explaining that Allison had requested the  
22          meeting to be after lunch; wherein, Jim  
23          did not know that that was already set up.

24          Q. And are you aware that Dean



1 Nichols came to find out that Jim had not,  
2 in fact, called Allison away?

3 A. I did not say that Jim had called  
4 Allison away. Jim had stepped in to meet  
5 with Allison briefly, and then Dean  
6 Nichols had arrived into the office  
7 inquiring about had we met. I said that  
8 we hadn't met and that I had information  
9 typed up, and she asked me for it and I  
10 gave it to her.

11 MS. KAY: Would you go back, not  
12 this answer, but the last question and  
13 answer before that?

14 (Record read as requested.)

15 BY MS. KAY:

16 Q. So you did tell Jim -- I'm sorry  
17 -- Dean Nichols that Allison had called --  
18 I'm sorry. Strike that.

19 So you did tell Dean Nichols  
20 that Jim had called Allison away?

21 A. No, I did not. I told Dean  
22 Nichols that Allison was busy with Jim.

23 Q. Do you have any knowledge  
24 regarding information that Dean Nichols

1 got from Jim regarding the circumstances  
2 of this meeting?

3 A. I have no information about that.

4 Q. Are you aware that Dean Nichols  
5 believed that you were being less than  
6 truthful with her with regard to this  
7 meeting?

8 MR. LEE: Object to the form.  
9 Assumes facts not in evidence.

10 THE WITNESS: Dean Nichols in the  
11 morning before she left, did let Jim know  
12 that we did need to meet, and he said,  
13 Okay. So that Allison would make time.  
14 As Dean Nichols left, I asked Allison what  
15 would be a good time for her to meet, and  
16 she told me after lunch. Jim may have  
17 gone off. I don't recall where Jim went.  
18 I know Dean Nichols was gone, and the  
19 first opportunity to meet was when they  
20 returned from lunch, and Jim also  
21 returned.

22 BY MS. KAY:

23 Q. My question was whether Dean  
24 Nichols believed that you had not been

1 truthful with her regarding circumstances  
2 surrounding this meeting that she asked --  
3 asked you to have?

4 MR. LEE: Object to the form of  
5 the question. You're asking this witness  
6 to read somebody else's mind. Calls for  
7 speculation.

8 BY MS. KAY:

9 Q. I'm still waiting for an answer.

10 MR. LEE: Still calls for  
11 speculation.

12 THE WITNESS: I don't know what  
13 Dean Nichols was thinking.

14 BY MS. KAY:

15 Q. Okay. And did you observe from  
16 her conduct that she believed that you had  
17 been untruthful?

18 A. I do not know.

19 Q. Did she tell you that she thought  
20 you had been less than truthful?

21 A. I do not recall her saying that.

22 Q. In fact, she suggested that you  
23 have a formal meeting to discuss your job  
24 performance, correct?

1           A. I also had requested a formal  
2 meeting for job duties and performance,  
3 yes.

4           Q. My question was whether Dean  
5 Nichols suggested that you have a formal  
6 meeting to discuss your job performance.  
7 Is that yes?

8           A. When are you saying that she  
9 requested that? Immediately after this  
10 had happened?

11          Q. At any time, did she suggest that  
12 on October 17th, 2007, you should have a  
13 formal meeting to discuss your job  
14 performance?

15          A. She agreed to meet with me on  
16 October 17th to have a formal meeting upon  
17 my request, yes.

18          Q. So it's your testimony that it was  
19 your request and that she did not request  
20 that meeting?

21          A. I believe so, yes.

22          Q. You were -- strike that.

23                       In this litigation, you're  
24 alleging that Dean Nichols terminated you

1       because you were about to take FMLA leave;  
2       is that correct?

3             A.   I'm sorry.   Can you read the  
4       question?

5             MS. KAY:   Can you read it back?

6                     (Record read as requested.)

7             THE WITNESS:   I feel I was  
8       terminated in retaliation for filing the  
9       EEOC charges.

10       BY MS. KAY:

11            Q.   Okay.   So you are not alleging  
12       that your intention to take FMLA leave had  
13       anything to do with your termination?

14            MR. LEE:   Objection.   The  
15       allegations are set out in the complaint.  
16       You're asking this witness for a legal  
17       conclusion.

18       BY MS. KAY:

19            Q.   You can answer my question.

20            A.   I don't -- I don't believe that  
21       there's one reason that -- that FMLA leave  
22       is the only reason that I've been  
23       terminated.

24            Q.   You believe that's one of the

1 reasons you were terminated?

2 A. I don't think that would be fair  
3 for me to say that was the reason I was  
4 retaliated against because of the  
5 reporting of the EEOC charge. I'm not  
6 going to -- I don't believe that that was  
7 the only reason. I don't know that that  
8 was a reason.

9 Q. Did Eliza Nichols know that you  
10 had filed a charge of discrimination with  
11 the EEOC?

12 A. I am not aware of what Eliza  
13 Nichols knew.

14 Q. Did she ever say anything to you  
15 about an EEOC charge that you had filed?

16 A. I can't imagine why she would. I  
17 don't recall her saying anything to me  
18 about it.

19 Q. Did she ever try to -- strike  
20 that. Did she ever say anything about --  
21 strike that.

22 When did you submit your FMLA  
23 request to Dean Nichols?

24 A. I don't recall exactly.

1 September, perhaps.

2 Q. Of 2007?

3 A. Yes.

4 Q. And she signed it, correct?

5 A. She did sign it.

6 Q. So within her capacity as your  
7 supervisor, she approved that leave,  
8 correct?

9 A. Yes.

10 Q. In fact, in the days leading up to  
11 your leave, she was asking you to make  
12 preparations with others in the office to  
13 make sure that your assignments and duties  
14 were covered while you were on leave,  
15 correct?

16 A. A few days before, yes.

17 Q. So, do you have any reason to  
18 believe that the reason she terminated you  
19 was because you were about to exercise  
20 your FMLA rights?

21 A. Dean Nichols works for Columbia  
22 College Chicago, and my problem is with  
23 Columbia College Chicago.

24 Q. Dean Nichols made the decision to

1 terminate you, though, correct?

2 MR. LEE: Objection. You're  
3 asking this witness to speculate as to  
4 what was going on in Columbia's collective  
5 mind.

6 BY MS. KAY:

7 Q. Go ahead.

8 A. I don't know what Dean Nichols was  
9 asked to do.

10 Q. Who terminated you?

11 A. I was told I couldn't be trusted  
12 and was asked to leave by Dean Nichols and  
13 Stephanie Griffin.

14 Q. When did they -- strike that.

15 Who told you you were being  
16 terminated?

17 A. Dean Nichols.

18 Q. Okay. And do you have any reason  
19 to believe that the decision to terminate  
20 was not Dean Nichols' decision?

21 MR. LEE: Objection. You're  
22 calling for speculation. You're asking  
23 her to speculate what's going in the  
24 corporate mind of Columbia College.



1 BY MS. KAY:

2 Q. Go ahead and answer.

3 MS. KAY: Would you read the  
4 question back?

5 (Record read as requested.)

6 MR. LEE: Same objection.

7 THE WITNESS: Yes, I have reason  
8 to believe.

9 BY MS. KAY:

10 Q. And what is that reason? What's  
11 the basis for that belief?

12 A. There was not a formal warning or  
13 discussion about improper behavior or  
14 issues. I was brought into an office that  
15 I was told I wouldn't be brought into. It  
16 was all very vague and confusing, and  
17 before the college was going to allow me  
18 to be on the medical leave, I believe that  
19 they requested that I be terminated.

20 Q. You had taken FMLA previously as  
21 an employee of the college, correct?

22 A. Yes.

23 Q. And so why do you believe that  
24 your second FMLA leave would be the basis

1 for termination if you were permitted to  
2 take FMLA leave before?

3 MR. LEE: Object to the form of  
4 the question, argumentative. Also object  
5 because it calls for speculation into  
6 whatever the corporate mindset of Columbia  
7 College is. Go ahead.

8 THE WITNESS: In the mediation  
9 that I had in January of -- I believe it  
10 was '06, the mediator clearly stated that  
11 Columbia College no longer wanted me  
12 working and what was it going to take to  
13 get rid of me. It was stated to me that  
14 Columbia College no longer wanted me  
15 around, during that mediation.

16 BY MS. KAY:

17 Q. You went to the mediation in  
18 January of -- oh, I'm sorry. What month  
19 and year did you attend the mediation?

20 A. I'd have to check the paperwork.  
21 I don't recall. It was January.

22 Q. 2007, correct?

23 A. Yes.

24 Q. And you worked for another ten

1 months at Columbia College Chicago,  
2 correct?

3 A. I did work another ten months at  
4 Columbia College Chicago, for ten months.

5 Q. So the basis of your allegation  
6 that Columbia College Chicago retaliated  
7 against you for exercising your FMLA  
8 rights is what the mediator -- the EEOC  
9 mediator told you in January 2007?

10 MR. LEE: Object to the form of  
11 the question.

12 MS. KAY: She brought it up.

13 MR. LEE: You asked.

14 MS. KAY: Right.

15 MR. LEE: Calls for speculation  
16 and argumentative, and it misstates the  
17 testimony. Go ahead.

18 MS. KAY: Can you read the  
19 question back, please?

20 (Record read as requested.)

21 MR. LEE: Also, in addition, I  
22 want to add that it calls for a legal  
23 conclusion. Go ahead.

24 THE WITNESS: I'm confused on the

1 question. I just know for a fact that  
2 Columbia had wanted me to stop working for  
3 them.

4 BY MS. KAY:

5 Q. And you knew that because a  
6 mediator told you that during a mediation,  
7 correct?

8 A. A mediator had communicated that,  
9 yes, to myself and my attorney.

10 Q. Do you have any knowledge  
11 regarding any process that Dean Nichols  
12 had to follow to terminate you?

13 A. As far as I understand, she just  
14 had to fill out paperwork and inform them  
15 that she wanted me to be terminated.

16 Q. Who's them?

17 A. Excuse me, the Human Resources  
18 department.

19 Q. Did the mediator specifically tell  
20 you that it was because you wanted to take  
21 FMLA leave? That that was the reason why  
22 they didn't want you back to work at  
23 Columbia College Chicago?

24 A. I don't know what the reason was.

1 I was just informed that this is what  
2 Columbia College had wanted.

3 Q. Okay. Who approved your first  
4 request for FMLA, if you remember?

5 A. Dean Lehrer and Human Resources.

6 Q. After reporting your complaint to  
7 Patricia Olalde, you told her you did not  
8 want to pursue your complaint because you  
9 were worried you would lose the perks of  
10 working for Dean Lehrer, correct?

11 A. I also told her that if there  
12 would be nothing that would happen to him,  
13 there was perhaps no point in making  
14 waves.

15 Q. But you told her what I asked you,  
16 correct?

17 A. Yes.

18 Q. You also told her that you never  
19 felt threatened by Dean Lehrer, correct?

20 A. Correct.

21 Q. And that it wasn't like he was  
22 going to rape you or anything, correct?

23 A. Correct.

24 Q. You told Patricia Olalde that the

1 Provost's office would approve what Lehrer  
2 told them he recommended, correct?

3 A. Pardon me?

4 Q. You told Patricia Olalde that the  
5 Provost's office would approve what Dean  
6 Lehrer recommended to them?

7 A. In regards to what?

8 Q. Where you were concerned?

9 A. I -- I don't know exactly what --  
10 what happened.

11 Q. Did you make that statement to  
12 Patricia Olalde?

13 A. Yes, I did.

14 Q. When did you start work on your  
15 thesis project?

16 A. When did I start work on my thesis  
17 project? I don't recall exactly.

18 Q. Do you recall generally?

19 A. I don't recall generally. I  
20 graduated in '08, so it was '07, '06,  
21 probably late '06.

22 Q. Did you have -- did you prepare as  
23 part of that project a written script for  
24 the audio portion of the project?

1           A.   When would I have prepared it  
2   to --

3           Q.   I'm asking if -- if you in your  
4   preparation of your thesis, as part of  
5   that preparation, prepared a script of  
6   what would be read in the audio portion of  
7   your project?

8           A.   Yes, I did.

9           Q.   Okay. And did you prepare that  
10   script on your computer or by hand or some  
11   other way?

12          A.   By hand.

13          Q.   Did you also generate a script on  
14   your computer or was it only by hand?

15          A.   By hand.

16          Q.   Okay. Do you still have those  
17   handwritten -- that handwritten script?

18          A.   I don't recall if I do or not.

19          Q.   If you do, where would it be?

20          A.   In boxes with documents of the  
21   thesis project.

22          Q.   And did you keep -- do you have  
23   boxes of documents with your thesis  
24   project or that were generated from your

1 thesis project?

2 A. I have information regarding my  
3 thesis project at home.

4 Q. Okay. I would ask that you search  
5 for those handwritten notes of the script  
6 and produce them to your attorney, please.

7 Do you recall when those --  
8 when that handwritten script was prepared?  
9 When you wrote it?

10 A. Probably around October of '07.  
11 I'm not sure.

12 Q. Did you ever discuss your thesis  
13 project with Dean Lehrer?

14 A. I don't believe I discussed my  
15 final thesis project with Dean Lehrer.

16 Q. Did you discuss anything about  
17 your thesis project with Dean Lehrer?

18 A. I don't recall.

19 Q. And who was your advisor for your  
20 thesis project?

21 A. I had a couple advisors for my  
22 thesis project, Jeanine Mellinger, Pat  
23 Madoni, and Lynn Hickson.

24 Q. You allege in your complaint that



1     you received harassing e-mails while you  
2     worked at Columbia College Chicago,  
3     correct?

4             A.   Yes.

5             Q.   How many e-mails did you receive  
6     that were harassing in nature?

7             A.   I recall at least two, maybe  
8     three, maybe more.

9             Q.   And you reported them to the  
10    school in May of 2006, correct?

11            A.   I don't recall. I think I would  
12    have reported them as soon as they came.  
13    I thought they came in '05 when I first  
14    began graduate school.

15            Q.   So do you know when you reported  
16    them?

17            A.   I don't recall, no.

18            Q.   And who did you make your report  
19    to?

20            A.   Several people were informed.  
21    Dean Lehrer was one of those people, and I  
22    believe I had to speak with the Security  
23    department, the dean of the Graduate  
24    School, and Human Resources.

1 Q. Did you ever find out who sent  
2 these e-mails?

3 A. When I was working in Ann Foley's  
4 office, maybe two years later, I was  
5 informed that the e-mails were coming from  
6 the library at the school, but I don't  
7 know who had sent the e-mails.

8 Q. Okay. Who told you or gave you  
9 that information?

10 A. One of the IT people.

11 Q. Do you recall who that was?

12 A. I don't recall who it was. It was  
13 in the form of an e-mail.

14 Q. When did you get the last of the  
15 harassing e-mails?

16 A. I don't recall. Maybe in '06,  
17 maybe May of '06. May, April. I'm not  
18 sure exactly.

19 Q. Did this IT person who gave you  
20 this information tell you whether the  
21 source of the e-mails was a student?

22 A. The IT person did not specify  
23 anything other than it was the college  
24 library.

1           Q. So as you sit here today, do you  
2 know whether the person sending the  
3 e-mails was a student of the school?

4           A. I do not know.

5           Q. Do you know whether the person was  
6 an employee of the school?

7           A. I do not know the person or their  
8 status.

9           Q. Do you -- as a result -- strike  
10 that. Let me back up just a moment to  
11 your termination.

12                       You met with Eliza Nichols on  
13 October 17th, 2007, correct?

14           A. Yes.

15           Q. Okay. And where did you meet with  
16 her?

17           A. In her office.

18           Q. Was anyone else present in that  
19 meeting?

20           A. Yes, Stephanie Griffin.

21           Q. And I think we -- you already  
22 testified that that was a meeting to  
23 discuss your job performance, correct?

24           A. Our meeting for job performance

1 was to take place early that morning,  
2 around 10:00 o'clock, and Dean Nichols  
3 came back in the office around -- a little  
4 after 11:00 with Stephanie Griffin.

5 Q. Okay. Was anyone else at the  
6 meeting besides Stephanie and Dean Nichols  
7 and you?

8 A. No.

9 Q. And what happened during that  
10 meeting?

11 A. I believe Dean Nichols let me know  
12 that she was terminating me or she was  
13 releasing me from my position, one of the  
14 two.

15 Q. What did she say?

16 A. I don't recall exactly. It was  
17 either I'm releasing you from your  
18 position or I'm terminating you from your  
19 position, something like that.

20 Q. Did Stephanie Griffin say  
21 anything?

22 A. I don't recall.

23 Q. Did you say anything to either of  
24 them during this meeting?

1           A. Of course. I asked, Can we talk  
2 about this? Is this negotiable? For what  
3 reason am I terminated? And Ms. Nichols  
4 stated that she couldn't trust me, and --  
5 and I asked for an example; and she  
6 responded about, I believe, the computer  
7 with Allison, something like that or the  
8 -- no. The meeting with Jim. I don't  
9 remember. I think it was -- it involved  
10 Allison.

11           Q. Okay. Was there anything else  
12 that Dean Nichols said?

13           A. I believe she said to return my  
14 keys to Stephanie Griffin, get my things,  
15 and get out.

16           Q. Was that all that she said?

17           A. I believe that is all that she  
18 said. I don't recall exactly everything.

19           Q. Did you leave that day?

20           A. Yes.

21           Q. Are you claiming that you suffered  
22 any psychological injury as a result of  
23 the events leading up to your termination?

24           A. Yes.

1 Q. Okay. What type of psychological  
2 injury?

3 A. It was very confusing being told  
4 that I would be in one position working  
5 and then in another. I wasn't getting a  
6 straight answer from the college. I was  
7 very upset about going to school and  
8 having these problems happening at work  
9 without any real resolution. It made it  
10 difficult to -- to keep as much as I, you  
11 know, I was supposed to keep in and  
12 maintain going to work and going to  
13 school.

14 Q. Have you sought treatment from  
15 psychologists or other type of mental  
16 health provider?

17 A. I did speak with a therapist, yes.

18 Q. Okay. Who's that therapist?

19 A. Dr. Alex Sherman.

20 Q. Have you sought treatment from any  
21 other mental health provider?

22 A. Yes.

23 Q. Who?

24 A. Juvaria Jvaria.

1 Q. Can you spell that?

2 A. J-u-v-a-r-i-a, J-v-a-r-i-a. I'm  
3 not sure. Juvaria Jvaria, they're very  
4 similar.

5 Q. Dr. Sherman is in Chicago?

6 A. Yes.

7 Q. Where is Dr. Jvaria?

8 A. Michigan.

9 Q. What city in Michigan?

10 A. Dearborn, Michigan.

11 Q. Any other health care providers  
12 that you have treated with?

13 A. Shanta Shantacula (phonetic) in  
14 Chicago.

15 Q. Can you spell that?

16 A. I'd have to look it up right now.

17 Q. Okay. Anyone else?

18 A. No.

19 Q. For how long did you treat with  
20 Alex Sherman?

21 A. From May after school was out, I  
22 believe, of '07 until, I don't know,  
23 sometime in June or July the following  
24 year, I'm guessing. I'd have to check my

1 records.

2 Q. How many times each month did you  
3 treat with Alex Sherman?

4 A. I'd average four times a month.

5 Q. Okay. For the entire time you  
6 treated with Mr. Sherman?

7 A. Ms. Sherman.

8 Q. Ms. Sherman?

9 A. Yes. Alexandra Sherman. It could  
10 be less, you know.

11 Q. Did Ms. Sherman diagnose you with  
12 any condition?

13 MR. LEE: Objection. It's getting  
14 into privileged territory. We're only  
15 claiming garden-variety emotional  
16 distress. So this is not an issue.  
17 Instruct the witness not to answer.

18 BY MS. KAY:

19 Q. Are you following your attorney's  
20 advice?

21 A. Yes.

22 Q. Okay. So what type of  
23 psychological injury, if any, are you  
24 claiming?



1           MR. LEE: Well, I mean, if you're  
2 asking for the legal claims, they've been  
3 set forth in our answers and objections to  
4 interrogatories. We're claiming  
5 garden-variety emotional distress on the  
6 -- on the -- I'm sorry -- on the sexual  
7 harassment and retaliation. On the sexual  
8 harassment and sexual harassment  
9 retaliation, the FMLA does not carry  
10 emotional distress.

11 BY MS. KAY:

12           Q. So you are making no claim for  
13 psychological injury as a result of what  
14 happened to you at Columbia College  
15 Chicago?

16           MR. LEE: Objection. You're  
17 asking for a legal conclusion. The  
18 complaint and the answers to  
19 interrogatories set forth the technical  
20 legal claims that we're making.

21 BY MS. KAY:

22           Q. You can answer the question.

23           MR. LEE: You know, I mean, she  
24 can answer, but it's a worthless answer,

1       you know. I mean, she's not the lawyer.

2               MS. KAY: Okay.

3               MR. LEE: If you're asking what  
4       we're making -- what claims we're making.

5               MS. KAY: Right.

6               MR. LEE: Go ahead.

7       BY MS. KAY:

8               Q. You can answer.

9               A. I do claim that through the sexual  
10       harassment and being terminated, I  
11       suffered emotional distress.

12              Q. Have you taken any medication as a  
13       result of this emotional distress?

14              MR. LEE: Claiming privilege here.  
15       Again, you know, we're not claiming -- we  
16       are only claiming the -- on those causes  
17       of action that permit garden-variety  
18       emotional distress. I instruct the  
19       witness not to answer.

20       BY MS. KAY:

21              Q. Are you following your attorney's  
22       advice and not answering the question?

23              A. Yes.

24              Q. When did you start treating with

1 Shanta Shantacula?

2 A. I'd have to look. Sometime in  
3 maybe March of '09, April/March.

4 Q. And do you still treat with this  
5 provider?

6 A. No.

7 Q. When did you stop?

8 A. In January of 2010.

9 Q. Why did you stop?

10 A. Because I no longer lived in  
11 Illinois.

12 Q. And are you still treating with  
13 Juvaria Jvaria?

14 A. Yes.

15 Q. When did you start with this  
16 individual?

17 A. Probably April -- February --  
18 March or April of 2010 up until the  
19 present time.

20 Q. Let me show you -- just go through  
21 some of these documents really quickly.

22 Do you want to take a break  
23 before we do that?

24 MR. LEE: I'm okay.

1 THE WITNESS: I'm okay.

2 (Said document was marked  
3 for identification as  
4 Deposition Exhibit No. 1.)

5 BY MS. KAY:

6 Q. Ms. Lewandowski, I'm showing you  
7 what we're marking as Lewandowski Exhibit  
8 Number 1. Do you recognize this document?

9 A. Yes.

10 Q. This is a letter from Dr. Warrick  
11 Carter dated October 17th, 2006, correct?

12 A. This is a letter to Dr. Carter.

13 Q. I'm sorry. I misspoke. To  
14 Dr. Carter from you, correct?

15 A. Yes.

16 Q. And this is -- earlier in your  
17 deposition you testified that Dr. Carter  
18 was -- strike that -- that you were  
19 reprimanded for your communications with a  
20 board of trustees' member, correct?

21 A. I was reprimanded for asking a  
22 board of trustees' member to contact and  
23 call Dr. Carter.

24 Q. Okay. And you testified that you

1 wrote a letter in response to that  
2 reprimand, correct?

3 A. Correct.

4 Q. And this is that letter, correct?

5 A. Correct.

6 Q. Okay. I just wanted to make sure  
7 we got it. Oh, let me -- just a moment.  
8 Going back to Number 1.

9 Did you draft this letter  
10 yourself? Actually, you already testified  
11 to that, right?

12 A. I did.

13 Q. You testified that Dean Lehrer  
14 reviewed it, correct?

15 A. Correct.

16 Q. Does looking at this exhibit  
17 refresh your recollection at all as to  
18 whether Dean Lehrer made any changes to  
19 the document?

20 A. No.

21 (Said document was marked  
22 for identification as  
23 Deposition Exhibit No. 2.)  
24

1 BY MS. KAY:

2 Q. Showing you what we're marking as  
3 Lewandowski Exhibit Number 2. This is a  
4 letter dated October 19, 2006, signed  
5 Warrick Carter, Ph.D. Is this the letter  
6 you received from Dr. Carter after he  
7 learned about -- strike that -- after he  
8 received your letter dated October 17th,  
9 2006?

10 A. Yes.

11 Q. Did you have any further  
12 communications with Dr. Carter or anyone  
13 in his office regarding this incident?

14 A. I don't believe so.

15 (Said document was marked  
16 for identification as  
17 Deposition Exhibit No. 3.)

18 BY MS. KAY:

19 Q. Showing you what we're marking as  
20 Lewandowski Exhibit Number 3. This is the  
21 Columbia College Chicago  
22 Anti-Discrimination and Harassment Policy.  
23 Did you receive this document while  
24 employed at the college?

1 A. Yes.

2 Q. Okay. And did you read it?

3 A. Yes.

4 Q. Do you recall whether you signed  
5 an acknowledgement of your receipt of this  
6 policy?

7 A. I do not recall.

8 (Said document was marked  
9 for identification as  
10 Deposition Exhibit No. 4.)

11 BY MS. KAY:

12 Q. Show you what we're marking as  
13 Lewandowski Number 4. It's a two-page  
14 document, marked in the lower left-hand  
15 corner, Pltf. 057, Pltf. 058. This  
16 appears to be, starting at the very bottom  
17 of the first page, an e-mail that you  
18 wrote to Carol Ann Stowe. Is that --  
19 would you agree with that?

20 A. Yes.

21 Q. And you wrote this, it looks like,  
22 April 16th, 2003, correct?

23 A. Correct.

24 Q. Okay. And then Ms. Stowe

1       responded on April 18th, 2003, correct?

2           A.   Correct.

3           Q.   And in this e-mail, she wrote at  
4       the top of this second paragraph, "Your  
5       job is a 9-5 office position with an hour  
6       lunch each day."   Correct?

7           A.   Correct.

8           Q.   Toward the bottom in the fourth  
9       paragraph, toward the middle of that  
10      paragraph, she writes, "There are,  
11      however, differences in our  
12      responsibilities..."   This arose from her  
13      reprimand to you regarding your  
14      whereabouts in April of 2003, correct?

15          A.   Yes.

16          Q.   All right.   Were there any  
17      additional reprimands from Carol Ann Stowe  
18      to you?

19          A.   I don't recall.

20                       (Said document was marked  
21                       for identification as  
22                       Deposition Exhibit No. 5.)

23      BY MS. KAY:

24          Q.   We're marking this one as



1 Lewandowski Exhibit Number 5. This  
2 document is dated May 22nd, 2004. This  
3 was your request for a title change and a  
4 salary range increase, correct?

5 A. Yes.

6 Q. And you created this -- did you  
7 create this entire document?

8 A. Yes.

9 Q. Okay. You were working in the  
10 Early Childhood Education department at  
11 that time, correct?

12 A. Correct.

13 Q. What title change did you want?

14 A. Is it stated in this document?

15 Q. Correct.

16 A. Is it stated in the document?

17 Q. No. I'm asking you: What title  
18 change were you seeking?

19 A. If it was an administrative  
20 assistant, then maybe an assistant to a  
21 program director. I don't recall exactly.

22 Q. Okay. Did you get a title change  
23 while working in the Early Childhood  
24 Education department?

1 A. I don't recall if I did or not.

2 Q. And who did you submit this to?

3 A. I believe to the Human Resources  
4 department and to Carol Ann Stowe.

5 (Said document was marked  
6 for identification as  
7 Deposition Exhibit No. 6.)

8 BY MS. KAY:

9 Q. We're marking this one Lewandowski  
10 Exhibit Number 6. This is your e-mail to  
11 Carol Ann Stowe on March 8th, 2005,  
12 correct?

13 A. I'm sorry?

14 Q. At the top at least, the first  
15 entry there, correct?

16 A. Yes.

17 Q. Okay. And you provided to  
18 Ms. Stowe names of other employees at the  
19 college who had Assistant to Director  
20 titles, correct?

21 A. Correct.

22 Q. And that is the title that you  
23 were seeking?

24 A. I was seeking a title change.

1 Perhaps Assistant to the Director was a  
2 suggestion.

3 Q. Were there others that you would  
4 have -- that you wanted?

5 A. It could have been a coordinator.  
6 It could have been any other possible  
7 suggestion.

8 Q. Is Chris, the first name here,  
9 Chris Greiner, or is that a different  
10 individual that you testified to  
11 previously?

12 A. That is Chris Greiner.

13 Q. Okay. And Chris worked in which  
14 department?

15 A. At that time, I think, Academic  
16 Initiatives.

17 Q. Okay. But you later ended up  
18 working in the same department with him  
19 while working for --

20 A. Again, I'm not sure --

21 Q. -- Dean Lehrer?

22 A. -- if their department reported to  
23 our department and then was later moved to  
24 the Provost's office, but --

1 Q. Did you date Chris?

2 A. No.

3 Q. You never dated Chris?

4 A. No.

5 Q. Okay. Did you ever socialize with  
6 him outside of work?

7 A. Yes.

8 Q. Okay. Just the two of you?

9 A. Yes.

10 Q. How many times did you socialize  
11 with him outside of work?

12 A. Not many times.

13 Q. Do you recall the dates when you  
14 did?

15 A. I do not.

16 (Said document was marked  
17 for identification as  
18 Deposition Exhibit No. 7.)

19 BY MS. KAY:

20 Q. All right. I'm showing you what  
21 we're marking as Lewandowski Exhibit  
22 Number 7. This is your Staff Performance  
23 Evaluation from April 26, 2006, correct?

24 A. Yes.

1 Q. Your supervisor at the time was  
2 Leonard Lehrer, correct?

3 A. Yes.

4 Q. And the evaluation period was from  
5 May 9th, 2005 until April 26th, 2006?

6 A. Yes.

7 Q. Going back to the page that's  
8 marked on the lower right-hand corner as  
9 LL 0296, under the section marked Employee  
10 Comments, is that your handwriting?

11 A. Yes, it is.

12 Q. And would you read that please in  
13 the record?

14 A. "This office is wonderful to work  
15 in because of the quality of people.  
16 Highly cooperative and personally a joy to  
17 work with and plan together in my  
18 experience. I look forward to the future  
19 here."

20 Q. And that's your signature dated  
21 May 31st, 2006, correct?

22 A. Yes.

23 Q. And Leonard Lehrer's signature is  
24 above your handwritten entry as supervisor

1       dated May 31st, 2006 also, correct?

2           A.   Yes.

3           Q.   Were you sincere in -- in your  
4       comments there? Do you believe what you  
5       wrote?

6           A.   Yes.

7           Q.   Okay. Let's go to the next one.

8                       (Said document was marked  
9                       for identification as  
10                      Deposition Exhibit No. 8.)

11       BY MS. KAY:

12           Q.   This is Lewandowski Number 8.  
13       This is an Employee Self Evaluation,  
14       correct?

15           A.   Yes.

16           Q.   And this was for you on  
17       April 23rd, 2006, correct?

18           A.   Yes.

19           Q.   And at that time, you were  
20       supervised by Leonard Lehrer, and your  
21       position was Assistant to the Dean, right?

22           A.   Yes.

23           Q.   The evaluation period was May 9th,  
24       2005 until the present, correct?

1 A. Uh-huh.

2 Q. That's right?

3 A. Yes.

4 Q. Okay. On the second page,  
5 Number 3, where it says, "Describe how  
6 well you performed your job  
7 responsibilities," and the words,  
8 "Successfully, with ease and grace"  
9 appear. Was that your -- were those your  
10 words?

11 A. Yes.

12 Q. Okay. Did you fill out the  
13 answers to this form?

14 A. Yes.

15 Q. And when you typed that in, did  
16 you believe that you had performed your  
17 job responsibilities successfully with  
18 ease and grace?

19 A. Yes.

20 (Said document was marked  
21 for identification as  
22 Deposition Exhibit No. 9.)

23 BY MS. KAY:

24 Q. This is Lewandowski Number 9.

1 Ms. Lewandowski, this is a seven-page  
2 document, and I'm asking you if this was  
3 the document -- document that you  
4 submitted while in Dean Lehrer's office,  
5 working for his office, you testified  
6 about the proposal for a new position. Is  
7 that what this is?

8 A. Yes.

9 Q. Okay. Did you prepare this  
10 document yourself?

11 A. Yes.

12 Q. When did you create this document?

13 A. I don't recall when this was  
14 created. It had to have been during my  
15 time at the Dean's office.

16 Q. Is there anything in here, in this  
17 document, that would help you remember?

18 A. No.

19 Q. You went online to salary.com to  
20 retrieve information about various titles  
21 and salaries and job descriptions,  
22 correct?

23 A. Yes.

24 Q. Those appear at pages 5, 6 -- 5



1 and 6 of this document, correct?

2 A. Correct.

3 Q. These were not necessarily taken  
4 from academic employers, correct?

5 A. I'm not sure.

6 (Said document was marked  
7 for identification as  
8 Deposition Exhibit No. 10.)

9 BY MS. KAY:

10 Q. I'm showing you what we're marking  
11 at Lewandowski Number 10. This is an  
12 Employee Information Form. This shows  
13 that effective September 1st, 2006, your  
14 salary went from 42,000 to 61,260,  
15 correct?

16 A. Yes.

17 Q. And the supervisor's signature was  
18 Leonard Lehrer on this form, correct?

19 A. Yes.

20 Q. Okay. Did -- was it your  
21 understanding that Dean Lehrer secured  
22 this pay increase for you?

23 A. This paperwork was to be submitted  
24 to his superiors, and they would sign off

1 to approve it.

2 Q. Okay. And to your knowledge, did  
3 he recommend that it be approved?

4 A. Yes.

5 Q. Did he tell you he would support  
6 you in your effort to secure a salary  
7 increase?

8 A. I don't know what was said, but he  
9 signed the paperwork and sent it forward,  
10 so.

11 Q. Did you have any doubt that he  
12 would support your request?

13 A. I didn't expect him to -- no, I  
14 did not.

15 (Said document was marked  
16 for identification as  
17 Deposition Exhibit No. 11.)

18 BY MS. KAY:

19 Q. We're marking this as Lewandowski  
20 Number 11. This appears to be an e-mail  
21 sent to you on May 17th, 2006. Did -- is  
22 this one of the e-mails that you testified  
23 to a little while ago in your deposition?

24 A. Yes.

1           Q.   Okay.   But your testimony is that  
2   there were others in addition to this one?

3           A.   Yes.

4           Q.   Okay.   Did all of the offensive  
5   e-mails come to you at the same e-mail  
6   address?

7           A.   I don't recall.   I know that I was  
8   getting harassing e-mails sent to my work  
9   e-mail suggested by Google Alerts.

10          Q.   What do you mean suggested by  
11   Google Alerts?

12          A.   For instance, if you wanted to  
13   know what the score of the Tigers' game  
14   was or anything related to the Tigers, you  
15   could type in your e-mail address and new  
16   information regarding the Tigers, and it  
17   would be directed into your work e-mail.

18          Q.   Okay.   You received an offensive  
19   -- a harassing e-mail through that route?

20          A.   Yes.

21          Q.   Through your Google Alerts?

22          A.   Into my work e-mail.

23          Q.   Okay.

24

1 (Said document was marked  
2 for identification as  
3 Deposition Exhibit No. 12.)

4 BY MS. KAY:

5 Q. This is Lewandowski Number 12.  
6 It's a letter from Columbia College  
7 Chicago, Assistant Vice President for  
8 Human Resources, Stephanie Griffin, to  
9 you, correct?

10 A. Yes.

11 Q. And the date is June 27th, 2006?

12 A. Correct.

13 Q. Ms. Griffin indicates that the  
14 Office of Human Resources is working with  
15 the Security and Information Technology  
16 department to assist you in finding out  
17 who was behind this, and then she gives an  
18 e-mail address account. She then writes,  
19 "The Information Technology department is  
20 working with the abuse group at Hotmail."  
21 And the IT department has blocked the  
22 address from sending anything to Columbia  
23 College Chicago. Do you believe that all  
24 of those efforts were being made in

1 response to your concern about the  
2 e-mails?

3 A. Yes.

4 Q. Okay. The letter indicates that  
5 the IT department recommends that you  
6 perform a couple of critical steps to  
7 prevent more of these disturbing e-mails  
8 being sent to you. The first one is  
9 changing all of your personal e-mail  
10 addresses. Did you do that?

11 A. I stopped using the e-mail address  
12 at Hotmail.

13 Q. Okay.

14 A. And I created new e-mail accounts  
15 through Gmail.

16 Q. Did you change all of your  
17 personal e-mail addresses?

18 A. Yes.

19 Q. And did you manage all of your  
20 alerts as is recommended in Number 2 by  
21 going directly to google.com and removing  
22 yourself from the alerts with, quote,  
23 "LISA," close quote, in them?

24 A. I did not do that.

1           Q. Is there a reason why you did not  
2 do that?

3           A. I -- I didn't -- I don't know -- I  
4 don't think I understood how these alerts  
5 were to be removed.

6           Q. Did you seek help in performing  
7 that task?

8           A. I did call the IT department, and  
9 they said that they had taken and stopped  
10 any Google alerts from coming into my work  
11 e-mail.

12          Q. The letter also says that, "The  
13 Security department recommends you do the  
14 following to prevent this situation.  
15 Recommendations include: Number 1, Filing  
16 a police report directly by you, regarding  
17 the two disturbing email letters you  
18 received." Did you file a police report?

19          A. Yes, I did.

20          Q. Okay. And was it, in fact, two  
21 disturbing e-mails that you received?

22          A. I believe it was two disturbing  
23 e-mails. One alluded to some of my work  
24 at school and using the e-mails at school,

1       which made me anxious and nervous, and I  
2       wondered who was doing this, knowing  
3       personal information and now affecting my  
4       schooling as well as my work.

5           Q.   Number -- Item Number 2 recommends  
6       that you change your home e-mail address.  
7       Did you do that?

8           A.   Yes.

9           Q.   Okay.  The letter also indicates  
10      that Ms. Griffin -- on page 2 she says, "I  
11      have spoken with both Martha Meegan,  
12      Director of Security and Bernadette  
13      McMahon, Chief Information Officer about  
14      your complaint and they are working with  
15      their staff in response to your  
16      complaint."  Do you doubt that Ms. Griffin  
17      did speak Ms. Meegan and Ms. McMahon?

18          A.   I do not know.

19          Q.   Do you have any criticism --  
20      criticism of the way that Columbia College  
21      responded to your concern about these two  
22      e-mails?

23          A.   My criticism came afterwards  
24      wherein they first told me they couldn't

1       locate where the e-mail was coming from.  
2       Yet while I was working in Ann Foley's  
3       office, they were able to determine where  
4       the e-mail was coming from. So that  
5       seemed slightly confusing to me.

6           Q.   Why is that confusing?

7           A.   I mean, how was it discovered  
8       later but not right away?

9           Q.   Okay. Any other criticism that  
10       you have on that, on the question of  
11       Columbia's response to your e-mail  
12       concern?

13          A.   No.

14                       (Said document was marked  
15                       for identification as  
16                       Deposition Exhibit No. 13.)

17       BY MS. KAY:

18           Q.   This is Lewandowski 13.  
19       Ms. Lewandowski, this is an e-mail sent  
20       from you October 11th, 2007 to Patricia  
21       Olalde, correct?

22          A.   Yes.

23           Q.   And you were asking for her  
24       assistance, correct?



1           A.   Yes.

2           Q.   You complain that you're not  
3           getting much clarity as to what you are  
4           responsible to do. In the second  
5           paragraph, the second sentence in that  
6           paragraph, you write, "Within Eliza's  
7           restructure there are things that I feel  
8           she is unhappy regarding my performance."  
9           So it was your observation that -- that  
10          Dean Nichols was unhappy with your  
11          performance, correct?

12          A.   I felt that she could be unhappy  
13          regarding my performance.

14          Q.   Okay.

15          A.   And we had discussed that there  
16          were things that she liked and things that  
17          she didn't like, and that she was a  
18          straight-shooter and, therefore, we would  
19          discuss it in the future.

20          Q.   Okay. When you referred to  
21          Eliza's restructure, what are you  
22          referring to?

23          A.   I'm referring to her taking the  
24          assistants that I had away from me.

1       Primarily, my duties were lessened.

2           Q.   What duties were lessened?

3           A.   Many duties.   Such as information.

4           Q.   What do you mean?

5           A.   I just was given calendar  
6       assignments and lesser assignments than I  
7       had been given previously.

8           Q.   You testified that there were many  
9       duties lessened, and when I asked what  
10      duties, you just said information.   Is  
11      there anything else that was -- any other  
12      duty that was lessened due to Dean  
13      Nichols' restructure?

14          A.   Searches and the processes for  
15      working with the chairs were changed,  
16      event planning, things like that, were  
17      being handled by Allison and Abbie.

18          Q.   She was the new dean coming into a  
19      new job, correct?

20          A.   Yes.

21          Q.   Okay.   And she was restructuring  
22      the office to fit her idea of what that  
23      office should look like, correct?

24               MR. LEE:   Object to the form of

1 the question, assumes facts not in  
2 evidence.

3 THE WITNESS: I don't know what  
4 she was thinking or what she could have  
5 wanted. It was very vague what our  
6 responsibilities were.

7 BY MS. KAY:

8 Q. Okay. She moved Allison Ratliff  
9 from -- strike that.

10 Had you previously supervised  
11 Allison?

12 A. Yes, as I testified earlier.

13 Q. Okay. And when you returned to  
14 the Dean's office when Dean Nichols was in  
15 place, you were no longer supervising  
16 Allison, correct?

17 A. At some point when I worked in the  
18 Dean's office, Dean Nichols let me know  
19 that, yes, Allison would report to Jim.

20 Q. That was Dean Nichols' decision,  
21 as far as you knew, correct?

22 A. I have no idea whose decision. I  
23 was just informed that that was the  
24 situation.

1           Q.   Okay.   Do you know why that change  
2   was made?

3           A.   I do not know.

4           MS. KAY:   Okay.   Take about a  
5   five-minute break or so?

6           MR. LEE:   Sure.

7                       (Whereupon a short recess  
8                       was had.)

9   BY MS. KAY:

10          Q.   Just a few follow-up.  
11   Ms. Lewandowski, we talked a little bit  
12   about your thesis project, and I want to  
13   go back to that just a little bit more.  
14   You testified that you started work on it  
15   -- I think you said in the fall of 2006,  
16   correct?

17          A.   Yes.

18          Q.   Okay.   And what was that work that  
19   you were starting at that time?

20          A.   I'd have to look back at my notes.  
21   Developing, you know, a presentation for  
22   my graduate work.

23          Q.   Okay.   What -- when did you decide  
24   on the -- or what was this project to be

1       called?

2           A.   I don't recall what the project  
3       was to be called in October of '06.

4           Q.   Can you -- so you were working on  
5       a portion of it in October 2006, correct?

6           A.   Yes.

7           Q.   Did you -- were you working on any  
8       -- but you don't recall what portion you  
9       were working on at that time?

10          A.   With a thesis project, you have so  
11       many different -- I had several different  
12       ideas I was investigating and determining  
13       which direction I was going to end up in.  
14       It was just kind of the beginning of the  
15       process for me.

16          Q.   Okay.   What ideas in October 2006  
17       were you investigating?

18          A.   I would have to look back at the  
19       thesis proposals back then in 2006.

20          Q.   So you have no memory at all about  
21       what different ideas you were considering  
22       at that time?

23          A.   I don't recall all of the  
24       specifics.   I mean, there was a lot going

1 on. I was getting the e-mails and the --  
2 you know, things at work were busy, and  
3 there was a lot going on, so. I don't  
4 recall all of those ideas.

5 Q. Did any of your work on your  
6 thesis project predate the fall of 2006?  
7 Did you start any of it in that summer or  
8 even earlier that year?

9 A. I don't recall. Possibly.

10 Q. So it's possible that some of it  
11 did?

12 A. I don't recall. I'd have to  
13 really look. I mean --

14 Q. Was -- is that when your decision  
15 to include -- a sexual harassment  
16 component was made?

17 A. I don't recall when that decision  
18 was made.

19 Q. Okay. What was -- or I think I  
20 already asked you, what the name of the  
21 project was called when it was finished?

22 A. The final thesis project, I  
23 believe, was called -- it was a long title  
24 -- something about Dirty Joy Womanness and

1 something about sexuality. I don't recall  
2 exactly what it was.

3 Q. When did you select that title?

4 A. I'd have to look again. I don't  
5 recall.

6 Q. Do you have documents that would  
7 indicate when you made decisions about or  
8 a decision about the title?

9 A. I have documents that were  
10 submitted to my advisors throughout my  
11 curriculum that could, you know, in  
12 conjunction help me to determine that  
13 specifically.

14 Q. And do you have all of those  
15 documents in storage?

16 A. I do not know if I have all of  
17 those documents. I know that -- I could  
18 talk with the advisors and perhaps try to  
19 determine that.

20 Q. Do you have some of them in  
21 storage?

22 A. I should have some of them, yes.

23 Q. Where are they located?

24 A. They should be in Dearborn,

1 Michigan.

2 Q. At your mother's home?

3 A. Yes.

4 Q. Okay. In the process of putting  
5 together this thesis project, can you tell  
6 me where you started, what you did, and if  
7 you can as part of that just describe what  
8 this project was? I have not seen it. So  
9 can you explain what the project was?

10 A. The final project?

11 Q. Yeah. Let's start there. Was  
12 there an interim project? You keep  
13 referring to something as the final title,  
14 the final project?

15 A. The process of art and thesis  
16 development is just that, a process. You  
17 begin with, you know, a sketch and you  
18 develop it and re-edit and evolve. And so  
19 what may begin as a circle, can turn out  
20 to be a triangle at the end depending on  
21 the choices you make and the directions  
22 that you choose to go.

23 Q. Okay. What -- let's start here.  
24 What -- what media did you use for this



1 project?

2 A. I used an interdisciplinary  
3 component wherein I performed a portion of  
4 it. I recorded a portion of it on video.  
5 I recorded and edited the video and the  
6 audio. I produced a pamphlet of data and  
7 other sort of written paraphernalia and  
8 put it up in a space that existed as an  
9 office space.

10 Q. When did you record the audio  
11 portion?

12 A. Toward the end of my thesis  
13 project. Probably in, I don't know,  
14 February, May. Sometime in 2008.

15 Q. Okay. Whose voices appeared in  
16 that audio portion?

17 A. Whose voices?

18 Q. Uh-huh.

19 A. My voice, and I think two other --  
20 maybe three other peoples' voices.

21 Q. Who were those people?

22 A. They were people that worked in  
23 the Audio department.

24 Q. Okay. And who are they?

1           A. I don't recall off the top of my  
2 head. I would have to look it up.

3           Q. You don't know any of those names  
4 as you sit here today?

5           A. (Indicating.)

6           Q. That's correct?

7           A. Yes. Excuse me.

8           Q. Would their identity be found  
9 anywhere in the documents you retained?

10          A. I believe so, yes.

11          Q. But you are one of the voices on  
12 the -- the audio portion, correct?

13          A. Yes.

14          Q. And is the video portion -- what  
15 does the video portion depict?

16          A. It depicts skin and the human  
17 female form being looked at through a  
18 keyhole, and then you see an eye look back  
19 at you through the keyhole.

20          Q. When -- is there actually a person  
21 depicted in this video portion, this video  
22 component?

23          A. A specific person?

24          Q. Uh-huh.

1 A. No.

2 Q. Okay. Where did you get the  
3 images for this video portion?

4 A. I shot the images myself.

5 Q. And did you use models for the  
6 female form?

7 A. No.

8 Q. Where did that come from?

9 A. I was the female form.

10 Q. There was a desk also appearing in  
11 the visual component?

12 A. Yes. It was set up as an office.  
13 So there was a desk and a monitor, audio  
14 speakers.

15 Q. Where did the desk come from?

16 A. It was around campus somewhere.  
17 I'm not sure.

18 Q. When did you shoot the video  
19 portion?

20 A. I'd have to check. I'm not sure.

21 Q. Did you shoot all of the video  
22 portion yourself?

23 A. Yes.

24 Q. Okay. Did you record all of the

1 audio yourself?

2 A. Yes.

3 Q. And where did you do your  
4 recording?

5 A. At the Audio department at  
6 Columbia College.

7 Q. Okay. No one assisted you in  
8 creating -- aside from the people you  
9 testified gave their voices to the  
10 recording, nobody assisted you in making  
11 that recording?

12 A. There are people that work at the  
13 Audio department that help you set up the  
14 microphones, et cetera, but I pushed the  
15 record button.

16 Q. Okay. Was there anything -- there  
17 was a letter on this desk in the video  
18 portion, correct?

19 A. Yes, it was part of the written  
20 documents.

21 Q. What written documents?

22 A. Well, I had spoke of other sort of  
23 written documents that I had. I had  
24 comprised a letter, a pamphlet, calling

1 cards.

2 Q. Oh, I see. So you're saying there  
3 was an actual desk in front of -- as part  
4 of the project that people could see.  
5 This desk was not depicted in the video  
6 portion. It was actually part of the set?

7 A. It was -- it was an installation.  
8 So it was an interactive installation  
9 wherein you walked through an area and you  
10 are now a part of -- the presence of an  
11 audience member is part of the  
12 installation.

13 Q. What did the letter say?

14 A. I'd have to check what the letter  
15 specifically said. I'm sure I have a copy  
16 of it in my files.

17 Q. I'd ask that you produce that  
18 to -- actually, anything that you've got,  
19 I'd like you to -- anything that you've  
20 retained concerning the project or your  
21 development of the project, if you would  
22 provide that to your attorney. We'll ask  
23 for copies of that.

24 What did -- you said

1 generally or specifically you don't recall  
2 what the letter said. What were the  
3 contents generally, if you remember?

4 A. Generally, it talked about  
5 generally being moved in an office space  
6 and then being released from a position.

7 Q. Did the letter reference sexual  
8 harassment?

9 A. I don't recall if it did or not.

10 Q. Did you do any previous  
11 recordings? Did you create any previous  
12 recordings of either the audio or the  
13 visual -- I'm sorry -- the audio or the --  
14 let's start with the audio. Were there  
15 preliminary recordings that you made that  
16 did not end up in the final thesis  
17 project?

18 A. Of course, yes.

19 Q. Okay. And what did you do with  
20 those?

21 A. They're --

22 Q. Do you still have them?

23 A. I -- I may still have them. I  
24 don't know if I have the software that can

1 access them, but I may have them.

2 Q. Where are they? When you say  
3 software to access them --

4 A. They may have a -- Pro Tools is an  
5 audio software that reads the data. I  
6 don't actually own it.

7 Q. Okay.

8 A. It's -- it's a specific software.

9 Q. So if this could be accessed,  
10 where would it -- where is it located? In  
11 your computer?

12 A. It would be on a -- like a DVD  
13 data disc. So it would be like a  
14 Microsoft Word document that you're trying  
15 to open with Microsoft Processer Word.  
16 That's not -- you know what I mean --  
17 Office. You couldn't really open it.

18 Q. Where does it exist now, though?  
19 You're talking to someone who's,  
20 obviously, technically illiterate.

21 A. Where does --

22 Q. Where do these prior recordings  
23 live? Are they in your computer hard  
24 drive? Where are they?

1 A. No. They're on a data disc.

2 Q. Okay. So you have them on a disc?

3 A. Yes.

4 Q. In Michigan?

5 A. Yes.

6 Q. Okay. And do you have these data  
7 discs for prior recordings of video and  
8 audio?

9 A. Yes.

10 Q. Okay. I'd ask that those be  
11 produced as well.

12 Did you have to submit a  
13 proposal to Columbia College before or --  
14 strike that.

15 Did you have to at any time  
16 submit a thesis proposal to the school, to  
17 the college?

18 A. Of course. Yes, I did.

19 Q. Okay. And who did you submit it  
20 to?

21 A. I'm not sure specifically who we  
22 were asked to submit it to, but to the  
23 faculty of the Interdisciplinary Arts  
24 department.



1 Q. When did you make that submission?

2 A. I'd have to check. I don't know.

3 Q. Is there more than one submission  
4 that you have to make in the process or is  
5 it only -- is it a one-time deal?

6 A. I think that it's an evolving  
7 process. So I think that you submit your  
8 initial project, and if it evolves into  
9 something else, it becomes something else.  
10 So I don't know that you resubmit it. You  
11 edit it.

12 Q. But what did you do?

13 A. I don't really recall. I mean, it  
14 was a very arduous process. It took a lot  
15 of paperwork and presentation.

16 Q. Did you make more than one  
17 proposal?

18 A. Yes, I believe I did.

19 Q. How many did you make?

20 A. I don't recall.

21 Q. And you said in general terms that  
22 it's an evolving process. Did your  
23 project evolve? Yours specifically did  
24 evolve?

1           A.   Yes.

2           Q.   And can you recall what changes  
3 occurred in this evolution?

4           A.   I can't recall.

5           Q.   You through your attorney  
6 submitted some initial disclosures of  
7 information pursuant to one of the Federal  
8 Rules of Civil Procedure, and I'll go  
9 ahead -- why don't we go ahead and mark  
10 this as an exhibit?

11           MS. KAY:   David, these are yours.  
12 I'll let you take a look.

13                   (Said document was marked  
14 for identification as  
15 Deposition Exhibit No. 14.)

16 BY MS. KAY:

17           Q.   On page 5, you list among your  
18 computations, a category of damages, a  
19 therapist, estimated at \$35 per week for  
20 52 weeks for a total of \$1,820. Are you  
21 claiming those therapist charges as an  
22 element of your damages?

23           A.   Yes. I submitted them.

24           Q.   Okay. So, are you still refusing

1 to give testimony regarding a diagnosis  
2 that you may have received from your  
3 therapist or therapists and medication  
4 that you took or may have been provided?

5 A. I'm not sure what the process is  
6 or what I need to do. I would have to  
7 speak with my attorney about it. Yes.

8 Q. Okay. Do you want to do that now?

9 MR. LEE: If you're asking if I'm  
10 waiving the objection, the answer is no.  
11 That's not a pocket. That's not an  
12 emotional distress other than, you know.  
13 The only emotional distress we're claiming  
14 is garden variety. That's an  
15 out-of-pocket expense.

16 MS. KAY: Okay. So you're saying  
17 that as an element of her damages, we  
18 should pay for therapy, but she's not --  
19 but you're not permitting her to testify  
20 what she was treated for?

21 MR. LEE: I'm saying you should  
22 pay the out-of-pocket, you know.

23 MS. KAY: How does out of pocket  
24 -- how does the -- whether it was out of

1     pocket, gratis, you know, for free, how  
2     does that relate to whether these damages  
3     are recoverable and whether we should have  
4     the opportunity to question her about  
5     those charges?

6             MR. LEE: For medical, the element  
7     of damage is whether or not it's  
8     reasonable, and, you know, the law  
9     provides, for example, that a paid bill is  
10    prima facie reasonable.

11            MS. KAY: Right. But that's --

12            MR. LEE: That's different from  
13    whether we're claiming the, you know, the  
14    -- that a diagnosable medical condition  
15    was caused by that. As I said, we're only  
16    claiming garden variety.

17            MS. KAY: Right. But in a case  
18    like you said where the payment of a  
19    medical bill is prima facie evidence of  
20    its reasonableness, counsel is entitled to  
21    question the party claiming that as --  
22    question them regarding what treatment was  
23    provided and what was sought.

24            MR. LEE: I don't think so.

1 MS. KAY: And so she -- your  
2 objection stands with regard to her  
3 injury. You're not permitting her to  
4 testify at all regarding any injury for  
5 which she sought treatment that she is  
6 seeking recovery for?

7 MR. LEE: Our objection is that  
8 the only emotional distress we're claiming  
9 is garden-variety emotional distress.

10 MS. KAY: For which she sought  
11 therapy.

12 MR. LEE: For which she sought --  
13 no.

14 MS. KAY: So what is the therapy  
15 for?

16 MR. LEE: The therapy is an  
17 out-of-pocket expense. The emotional  
18 distress we're claiming is garden-variety  
19 emotional distress.

20 MS. KAY: It was an out-of-pocket  
21 expense for treatment for garden-variety  
22 emotional distress?

23 MR. LEE: No. I say the only  
24 element of emotional distress we're

1 claiming is garden-variety emotional  
2 distress.

3 MS. KAY: Okay. I'll just --  
4 we've got a record, obviously, of this.

5 MR. LEE: Yes.

6 MS. KAY: I'll reserve my right to  
7 depose Ms. Lewandowski about the specific  
8 treatment, and we'll make a decision,  
9 obviously, about whether we're going to  
10 pursue it or not.

11 MR. LEE: Okay.

12 MS. KAY: Assuming that your  
13 objection -- you're not withdrawing your  
14 objection?

15 MR. LEE: I'm not withdrawing the  
16 objection.

17 MS. KAY: Okay. All right. I  
18 have nothing else. Do you have anything?

19 MR. LEE: I don't believe I have  
20 anything either. We'll waive signature,  
21 if you're willing to waive?

22 MS. KAY: Sure.

23

24 FURTHER DEPONENT SAITH NOT...

[illegible]

4 I, RENAY PATTERSON-SEBANC,  
5 Certified Shorthand Reporter, Registered  
6 Professional Reporter, Notary Public in  
7 and for the County of Cook, State of  
8 Illinois, do hereby certify:

9                   That previous to the commencement  
10       of the examination of the witness, the  
11       witness was duly sworn to testify the  
12       whole truth concerning the matters herein;

13                   That the foregoing deposition was  
14       reported stenographically by me, was  
15       thereafter reduced to a printed transcript  
16       by me through computer-aided  
17       transcription, and constitutes a true  
18       record of the testimony given and the  
19       proceedings had;

20                   That the said deposition was  
21       taken before me at the time and place  
22       specified, and that there were present  
23       Counsel as specified;

24 That the reading and signing by